

NPCC FOI Request Reference 018/18

Ref	Date	From	To	Subject	Content
8 of 10 Batch 2 (21)	30/01/2013 11:43	DI Nevin Hunter NWCU	Elaine Close HSE Pam Lickiss HSE Paul Cantwell DEFRA Peter Karner DEFRA Alan Roberts NWCU Andy McWilliam NWCU Colin Pirie NWCU Charles Everitt NWCU	RESTRICTED – Raptor Persecution : poison / pesticide abuse etc	<p>RESTRICTED</p> <p>Dear Elaine, Pam, Paul, Peter,</p> <p>Further to our meeting at Peterborough and as a direct result of significant concerns the NWCU have regarding investigations into several raptor persecution cases, I have instigated a series of meetings around England with Police Wildlife Crime Officers (PWCO). The first of these meetings was held yesterday in North Yorkshire and I have meetings planned in Gloucestershire on 19th February (for SW and Midlands officers) and Cambridge/Hertfordshire on 28th March (for East of England). These meetings are just with Police officers and I am working toward building a Standard Operating Procedure that the Police service would adopt when dealing with all aspects of raptor persecution and to incorporate learning and best practice into this.</p> <p>The concerns I have about several recent and ongoing cases of raptor persecution go beyond issues of deliberate poisoning/pesticide abuse and into such areas as illegal shooting and trapping. My concerns and those of my team centre on the role that the RSPB Investigations Team has/is playing in all of these cases. I will not go into the specific issues of each case, but there is a pattern whereby neither the NWCU nor Natural England are being made aware by PWCO's and other Police officers of developing cases until enforcement actions such as warrants have already been taken or are imminent.</p> <p>My view and the views of my team based upon our experience are clear. This is that investigations into raptor persecutions MUST be led by the Police and where appropriate, in terms of pesticide/poisoning issues, jointly with NE. I believe that there should be NO role for the RSPB Investigations Team in ANY formal investigation (other than as possible witnesses). It is vital that the impartiality and independence of the Police and NE are maintained and this cannot be achieved with the involvement of the RSPB.</p> <p>As a result of information and discussion with Rachel Hodson, I know that she and her colleagues in Wales share similar concerns and thoughts regarding the role of the RSPB.</p> <p>I believe that there is a role for the RSPB in providing intelligence to the Police and NE (also Welsh Government), as per any other NGO or member of the public. If they wish to undertake their own surveillance etc. on suspects then that is an issue for them and they would report any findings as witnesses and would be treated as such in any investigation.</p> <p>Over the next few months I will be working on developing the SOP for the Police. I will involve you all directly in this to ensure the document reflects the need for a close working relationship between us.</p>

					<p>In developing the SOP I would expect that any case that comes to light would be reported to the NWCUC and that we set up a formal meeting process with NE to consider actions. I would also consider a formal meeting structure would need to be set up with NE and hopefully CRD to consider and review ongoing/possible cases (I think we suggested this at our meeting).</p> <p>I am aware that the RSPB Investigations Team will not be happy with what I am proposing. But there is precedent about them NOT being involved in cases and for successful prosecutions being undertaken by the Police and NE (Welsh Government).</p> <p>I would be grateful to know your thoughts both at NE and CRD on what I am saying? I would ask that this discussion is treated as RESTRICTED to ourselves at this time.</p> <p>Regards,</p> <p>Nevin Hunter</p>
8 of 10 Batch 2 (20)	30/01/2013 13:16	Elaine Kendall DEFRA	NWCUC		<p><i>Not Captured.</i></p> <p>Sadly when the conduct of an NGO begins to prejudice the integrity of investigations action needs to be taken. I think what disappoints me most is that there are people within the RSPB investigations team who I understand are ex-police which makes the way they have secured their involvement with investigations particularly inexcusable. They know full well the impact they are having. In the Marsh Harrier case is a prime example of holding back important info for what appears to be no other reason than to get a media splash. It's very calculated.</p> <p>And who loses out? Everytime it's the birds.</p> <p>I see a future role for RSPB in police investigations as one of "expert witness", and if they want to conduct their own investigations like other NGOs that's up to them. But I agree it's absolutely the right thing to do to get the appropriate people taking forward the investigative process.</p> <p>E</p> <p><i>(Not Captured).</i></p> <p>Elaine Kendall Head of Wildlife Crime, Zoos and Birds Policy Defra</p>
10 of 10 Batch 1	22/02/2013 21:50	Martn Connelly Cumbria	Andrew McWilliam NWCUC	Bird of Prey – Cumbria	Andy,

(28)					<p>I hold the Wildlife Crime portfolio in West Cumbria. We met briefly last year when John Shaw did a presentation at Kew Gardens.</p> <p>You will know that's Johns' replacement, Helen Felton is very new in post. It seems obvious to both of us that there is some `tension` between NCWU and RSPB which has not helped with Helens' first wildlife crime investigation.</p> <p>Can you let me know what the situation is please? As I understand it, any investigations are reported to NCWU for your records, expertise and experience. However I also understand that working with partners such as RSPB was also standard procedure and acceptable practice. Has something happened to change this?</p> <p>Obviously we need to know what the protocol is to prevent any unfortunate incidents in the future.</p> <p>Regards</p> <p>Martin Connolly</p>
5 of 10 Batch 2 (15)	26/02/2013 05:29	DI Nevin Hunter NWCu	S40(2) Personal Information RSPB	Inside Out HHS	<p>Hello S40(2) Personal Information,</p> <p>Agree - happy to discuss tomorrow - I am free all day.</p> <p>You do realise I was joking in the first part of my reply to S40(2) Personal Information?</p> <p>I would like to meet asap, but have commitments this week</p> <p><i>Not Captured.</i></p> <p>Interested to know what the issues are as you see them? My concern is that loose Police tongues are setting hares running leading to angst among some of your staff.</p> <p>I promised you that I would meet with you after I had done my round of meetings with PWCO's across the country. I have held 4 meetings and have 1 more to do. I still intend to meet with you to feedback - unfortunately the last one is not going to be until 28th March - intention is to meet with you thereafter, but also happy to meet in the interim.</p> <p>Issue is that PWCO's have been asked to regard all meetings as RESTRICTED. But I suspect at least 2 have been feeding back to your team - hence my concern about hares running etc.</p> <p>If officers have fed things to your team - I hope that it was along these lines - the issues I have been asking all to consider are aimed at addressing significant POLICE failings in dealing with wildlife crime investigations - and specifically raptor persecution cases. What the meetings have flagged up are failings in other areas of wildlife crime investigations.</p> <p>The issues raised do not amount to RSPB bashing - which is what I think your team may be hearing and hence the 'tension' that has appeared.</p>

					<p>Just to reiterate - I am looking at Police failings.</p> <p>I would be interested in any perspectives ahead of tomorrow from you.</p> <p>What time would suit? I am working at home</p> <p>Apologies if in any way disjointed - typing on the Blackberry is a pain.</p> <p>Regards,</p> <p>Nevin</p>
10 of 10 Batch 1 (27)	26/02/2013 08:54	DI Nevin Hunter NWCU	Martin Connolly Cumbria Police Personnel x4	RESTRICTED – Bird of Prey - Cumbria	<p>RESTRICTED</p> <p>Hello Martin,</p> <p>PLEASE TREAT AS RESTRICTED</p> <p>As promised – here is an update for you.</p> <p>I am disappointed that you have the perception that there are tensions between the RSPB and NWCU. As I put in my email on Saturday any tensions are being generated by the RSPB. In the past month I have pulled together a series of meetings with Police Wildlife Crime Officers across the UK to try and address increasing concerns expressed by Police Officers about the role of NGO's in wildlife crime investigations and specifically with raptor persecution cases. The RSPB Head of Investigations is aware I have been holding closed Police only meetings and I have agreed to meet with him once all of these conclude at the end of March.</p> <p>The first meeting held was at Ripon on 29th January for North of England officers. There have been subsequent meetings in Somerset, Wales and Gloucestershire and there is a meeting planned for the East of England for the end of March. To give you an idea of the issues being discussed at these meetings I attach a draft agenda for the East of England meeting that covers the same issues discussed at all others.</p> <p>The Ripon meeting was attended by both PC Helen Felton and Sgt John Chambers who is supervising an officer involved in another raptor persecution case in Cumbria. I highlight some of the key issues from the notes made of the meeting below:</p> <p><u>'NWCU Raptor Persecution Meeting</u></p> <p><i>Various issues were discussed-</i></p>

				<p><i>Intelligence – DI Hunter highlighted the number of intelligence returns to the NWCUC by force. The number for some forces was low. He asked that if officers believed that more intelligence was being submitted than was being received by them for officers to highlight this to him so an approach could be made to respective FIB's.</i></p> <p><i>Raptor Persecution, national perspective.- DI Hunter stated that within the UK there were 2 delivery groups, 1 in England and 1 in Scotland. Within these groups were representatives of other organisations including the RSPB, BASC, the Game keepers association and Natural England. The overall strategy of the groups was focused around prevention, intelligence gathering and enforcement.</i></p> <p><i>Not captured</i></p> <p><i>It is also working to achieving commonality of investigation and to provide advice and guidance where required. Within this it is planned to write an investigative protocol and also provide a protocol / direction for interaction with non government agencies such as the RSPB</i></p> <p><i>Recent examples of cases involving NGO's were discusse:</i></p> <p><i>One case was highlighted where the RSPB had failed to report the poisoning of a marsh harrier until 6 months after the event and then only by press release. They had then been reticent to supply full detail to the police about any investigation carried out by them and the details of witnesses. This frustrated the investigation and could have led to potential disclosure issues had a prosecution ensued.</i></p> <p><i>A further case was highlighted where the RSPB had made disclosures to the press prior to a case being concluded at court which could have undermined the prosecution case.</i></p> <p><i>It is envisaged that the protocol will include direction to manage the roles of NGO within the investigation and advocates full intelligence checks and planning before any action during which the following areas will be defined and agreed. Other issues:</i></p> <p><i>Who takes primacy for investigation?</i></p> <p><i>Who is responsible for the care of any animals and the cost?</i></p> <p><i>A press strategy giving police control of any release made.</i></p> <p><i>Who is responsible for forensic examination and the associated cost?</i></p> <p><i>Who is going to interview (to ensure no conflict in terms of process and identification if a witness from an NGO is involved in interview?)</i></p>
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5 of 10 Batch 2 (17)	26/02/2013 11:10	DI Nevin Hunter NWCU	S40(2) Personal Information RSPB S40(2) Personal Information RSPB	Inside Out HHS	S40(2) Personal Information. When are you guys going to understand that it is the bad weather over recent years that has led to the demise of the HH! Look I know it is true because a lawyer said so last night on the TV. Seriously - what idiots get put forward to say these things. Saw the piece on TV but did not hear the radio. Agree re VL. Regards, Nevin
5 of 10 Batch 2 (16)	26/02/2013 16:40	S40(2) Personal Information RSPB	DI Nevin Hunter NWCU S40(2) Personal Information RSPB	Inside Out HHS	Nevin We need to meet urgently and discuss issues. Quick phone call tomorrow? Thanks S40Personal Informatio
5 of 10 Batch 2 (14)	26/02/2013 18:08	S40(2) Personal Information RSPB	DI Nevin Hunter NWCU	Inside Out HHS	Yes, I laughed out-loud in a particularly boring meeting re your joke comment! No problem!! Hares - running but only whispers, that's the problem really, no idea if we are on the agenda for your meetings or any detail at all. Need to concentrate on how RSPB works with police and NWCU. We need to meet (after your meetings) and discuss case examples where things could have gone better, or things went well etc. Also, we need to have a very honest conversation about partnerships and what that will mean re sharing of data and intel plus case management over the next twelve months. The recent SRSR conference was not good and the mood now is that raptor study group workers in scotland are very unlikely to contact NWCU/Police. I think you misread the audience. We can discuss. S40(2) Personal Information
5 of 10 Batch 2 (13)	26/02/2013 18:27	DI Nevin Hunter NWCU	Andy McWilliam NWCU Alan Roberts NWCU Charles Everitt Police Scotland Colin Pirie NWCU	Inside Out HHS	Guys, Your thoughts please before tomorrow particularly about the last comment? I have been careful in what I have said. Nevin

5 of 10 Batch 2 (12)	26/02/2013 20:43	Andy McWilliam NWCU	Alan Roberts NWCU Charles Everitt Police Scotland	Inside Out HHS	<p>Nevin,</p> <p>I am not sure how open you can be at this stage and whether you should go into specifics.</p> <p>I think it is important to get across that concerns about the RSPB/NGO role in investigations have been raised by PWCOs and other LEAs.</p> <p>The biggest problem BE has is §40(2) Personal Information who does not trust anybody conduct an investigation. §40(2) Personal Information acknowledged to me that he knew the problems with §40(2) Personal Information (over coffee following the Personal Information & §31(1)(a)(b) Law Enforcement warrant). Feel free to quote me on this.</p> <p>Our concerns are for the integrity of the Police and THEIR investigations and the purpose of a SOP is to ensure they do things right, which I can't see he has a problem. The RSPB have got to understand that things have moved forward and they cannot dictate as they have in the past.</p> <p>The NWCU and the Police have got to be impartial and unlike the RSPB, we do not lobby or campaign.</p> <p>The NWCU have driven so many cases successfully and we strive to do the same with raptor related cases and I can't see why anybody should have problems with that. We have been hampered by RSPB being selective in what they tell us, because they are trying to keep control.</p> <p>I actually think §40(2) Personal Information may not be fully aware what has been going on and whether he can or is willing to control and manage §40(2) Personal Information and Co remains to be seen.</p> <p>As far as not reporting incidents to the Police is concerned, I am sure with their support this could be addressed.</p> <p>One thing I am mindful of is cutting the RSPB out completely and I do think on occasions they have something to offer. I think that on occasions it can be justified in taking them on a warrant, it is certainly catered for in the WCA, but their attendance would have to be justified, their expertise would have to be required and most importantly the Police must keep control.</p> <p>Perhaps this may be a token olive branch.</p> <p>Or then again we could just say 'F*** them'.</p> <p>Andy Andy McWilliam Investigative Support Officer National Wildlife Crime Unit</p>
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1 of 1 Batch 1 (1)	28/02/2013 12:29	Paul Cantwell Species Enforcement Officer Natural England	Natural England Staff x 15	Police/RSPB involvement in WIIS cases and the NWCU	<p><i>Not captured.</i></p> <p>The Unit have some concerns about the way some cases are dealt with by some Police Forces and the purpose of this is to try and make sure that cases are dealt with as professionally and consistently as possible by making sure that the Police involve the Unit and us to maximum effect in these cases. We are working with the NWCU and CRD to address this further.</p> <p>The last paragraph is for your information only and not to be widely broadcast owing to sensitivities over this please. If your teams ask for some reasoning for this you can share this verbally but please ask them not to repeat this to anyone outside of the team in NE.</p> <p>Many thanks</p> <p>Paul</p> <p>Paul Cantwell</p> <p>Species Enforcement Officer</p> <p>Natural England</p>
1 of 10 Batch 2 (2)	28/02/2013 18:24	DI Nevin Hunter	Paul Cantwell Natural England Graham Fairweather Cumbria Police John Chambers Cumbria Police Helen Felton Cumbria Police Elain Close HSE Pam Lickiss HSE	Helbeck	<p>Paul, Agree completely. Nevin Hunter UK Natioanl Wildlife Crime Unit</p>
1 of 10 Batch 2 (3)	28/02/2013 16:46	Paul Cantwell Natural England	Graham Fairweather Cumbria Police Elaine Close HSE Pam Lickiss HSE	Helbeck	<p>[RESTRICTED]</p> <p>Graham</p> <p>Thanks for this. You will see another e-mail from me shortly to S40(2) Personal Information in relation to this request.</p> <p>I have also spoken to Inspector Nevin Hunter the Head of the Police NWCU in relation to this. I know that Nevin and other members of the Unit met with John and Helen from Cumbria together with a number of</p>

					<p>other WCO's from Northern Force's recently in relation to wildlife crime and working with statutory and NGO bodies.</p> <p>I think I can say that the shared view of HSE (CRD), Natural England and the NWCUC is that in relation to pesticide cases that it is for the statutory bodies (HSE (CRD), NE, Police and Police NWCUC) to work together to investigate and prosecute offences with clear responsibilities being agreed up front first in planning meetings. NGO's should have no part in the investigation process. If they have information/intelligence/evidence to provide then they should do so and then take no part in the investigation (save for providing statements, attending Court to give evidence etc.). Search warrants, interviews, subsequent evidence gathering etc. should all be done by the statutory bodies involved. This has always been the view of the HSE (CRD) and NE and I'm sure the Police NWCUC as well. In case I have misinterpreted the views of Inspector Hunter or the HSE (CRD), I'm copying them in to this e-mail. Happy to discuss.</p> <p>Cheers</p> <p>Paul</p> <p>Paul Cantwell Species Enforcement Officer</p>
1 of 10 Batch 2 (4)	28/02/2013 15:40	Graham Fairweather Cumbria Police	Paul Cantwell Natural England John Chambers Cumbria Police Helen Felton Cumbria Police	Helbeck	<p>Hello Paul.</p> <p>Being a novice in this (political) game I am a little unaware of the correct lines of communication. However to clarify the below I was called at home by S40(2) Personal Information while I was off duty to discuss the Helbeck case. S40(2) Personal Information mentioned looking at some photos taken of the snare log by another RSPB investigator and mentioned also that he knew of a person, a botanist if I remember correctly, who he thought may be able to give an informed opinion on how long this piece of wood had been in the open by the moss growth that was evident in the photo. I was not aware that this person was a member of NE also. I said at the time that I thought this was a good idea as it may help prove the fact that the snare was placed in this location after the RSPB covert cameras were stolen...</p> <p>Paul if you can help with this then I would appreciate it.</p> <p>Additionally and for future reference can you clarify for me please what the working relationship is between all you different groups (RSPB, RSPCA, NE HSE, NWCUC, Police) so that this sort of delay and extra administration can be avoided in the future.</p> <p>Many thanks Paul and please feel free just to call me if you think necessary. As you will see from the above I often take calls about work off duty and have no problem with you calling me also...</p> <p>S40(2) Personal Info</p>

1 of 10 Batch 2 (5)	28/02/2013 15:05	Paul Cantwell Natural England	Graham Fairweather Cumbria Police John Chambers Cumbria Police Helen Felton Cumbria Police	Helbeck	Hi both I have become aware that S40(2) Personal Information has approached Natural England via another route to ask if we had an expert to give an opinion on the length of time the drag snare logs had been present in relation to moss growth. Is this something you have asked for please? If so, can I ask why you did not ask through me? If you have not asked for this and don't require it at this time, I will respond to S40(2) Personal Information to tell him so and that all such requests should come directly to me through the Police. Many thanks Paul Paul Cantwell Species Enforcement Officer
1 of 10 Batch 2 (1)	01/03/2013 07:34	Elain Close HSE	Paul Cantwell Natral England Helen Felton Cumbria Police NWCU Graham Fairweather Cubmria Police John Chambers Cumbria Police	Helbeck	Paul I also agree Elaine
6 of 10 Batch 1 (14)	18/04/2013 18:14	DI Nevin Hunter NWCU	DCI Neil Frim Norfolk Police	RESTRICTED Stody field report	Hello Neil, Hope things are going ok with this job now. I have a meeting with S40(2) Personal Information Head of Investigations at RSPB on 29 th April. I presume that you would be happy with me highlighting this case as one where S40(2) Personal Information at RSPB should have referred this to the Police at the time the member of public reported it to him? Ideally we would have wanted the Police were contacted before they went to RSPB. The actions of S40(2) Personal Information to then search part of the estate and take the birds recovered for XRAY leaves a defence with a potential opening to suggest that he had 'planted' evidence etc. I appreciate all that was found thereafter, but this does not diminish this concern. Regards, Nevin Hunter

6 of 10 Batch 1 (13)	19/04/2013 08:09	DCI Neil Firm Norfolk Police	DI Nevin Hunter	RESTRICTED Study field report	<p>Nevin,</p> <p>I couldn't agree more and I have spoken to §40(2) Personal Information and §40(2) Personal Information already. They don't see what the issues are and deny any sort of wrong doing but they really do need sitting down and being told that their activity could and will hinder investigations.</p> <p>At the end of the day the aim is to prosecute offenders who are breaking the law, and we should all be aiming to do that. In order that this can be done we need to ensure the integrity of the investigation, and some of the practices that take place, as you rightly point out,don,t do this,and could lead to challenges from the defence.</p> <p>Best Wishes</p> <p>Neil</p>
6 of 10 Batch 1 (12)	19/04/2013 08:24	DI Nevin Hunter	DCI Neil Firm Norfolk Police	RESTRICTED – Study field report	<p>Neil,</p> <p>Thanks for this – it will help me greatly when I meet §40(2) Personal Information to know you have raised issues of concern. I will keep you posted.</p> <p>Regards,</p> <p>Nevin Hunter</p>
6 of 10 Batch 1 (11)	19/04/2013 08:25	DI Nevin Hunter NWCUC	Police Personnel x4	RESTRICTED Study field report	<p>Guys,</p> <p>Makes my job easier now – not just the NWCUC with concerns!</p> <p>Nevin Hunter</p>
4 of 10 Batch 2 (11)	22/04/2013 15:15	§40(2) Personal Information RSPB	Helen Felton Cumbria Police §40(2) Personal Information RSPB	Peregrine Incident Carrock Fell 19/04/13	<p>Hi Helen,</p> <p>Just forwarding the below information on behalf of §40(2) Personal Information who is having trouble with CJSM (cc'd to this message). Please respond directly to §40(2) Personal Information on this - thanks!</p> <p>Hi Helen</p> <p>Hope you are well.</p> <p>§31(1)(a)(b) Law Enforcement</p>

					<p>The site is believed to be occupied, and it is suspected at this time of year the female will be incubating - however, the sitting female cannot be seen from the road so we cannot be totally certain on this without an actual site visit.</p> <p>Site has a long history, and we have incidents on our database back to 1981 involving falconers, egg collectors and a peregrine caught in a spring trap (possibly pigeon fanciers?). Last incident we had was 2008 when it looks like eggs were probably taken from the site.</p> <p>Anyway, last Friday, the Raptor Worker and a friend were watching from a car on the road below parked at Stone Ends. They saw a red §40(2) Personal Information & §31(1)(a)(b) Law Enforcement registered mark - §40(2) Personal Information & §31(1)(a)(b) Law Enforcement arrive and park nearby. A male start walking up the hill to the scree below the nesting crag. They did not get a good look at his face but described as a clean shaven white male, medium height and build, probably mid to late 40's. He had dark hair and was wearing dark clothing and a woolly hat.</p> <p>The male peregrine had previously been seen leaving the site, and no disturbance was obviously caused by the male below the nesting site. It is suspected the female peregrine was sat tight on the nesting ledge. The raptor worker believes no other person is licensed to visit that site. The male was there for 30 - 40 minutes moving around on the scree, apparently having some problems on the steep terrain, and looking up at the nesting crag with binoculars. I have to say it sounds rather suspicious and it certainly sounds like he was trying to locate the breeding site. I thought it would be better to contact you direct rather than report this to your control room.</p> <p>On PNC the vehicle comes back to a §40(2) Personal Information & §31(1)(a)(b) Law Enforcement §40(2) Personal Information & §31(1)(a)(b) Law Enforcement</p> <p>Open source gives a §40(2) Personal Information & §31(1)(a)(b) Law Enforcement on the 2002 Electoral Register at this address.</p> <p>Unfortunately there is no Google street view and satellite maps so poor cannot tell whether there are possible lofts/aviaries at the address.</p> <p>I would be grateful if you could do some checks on this nominal at your end and whether he is known to AHVLA as a raptor keeper.</p> <p>Perhaps give me a call when you have done some digging and we can have a think about what to do next.</p> <p>Regards</p> <p>§40(2) Personal Information Senior Investigations Officer</p>
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4 of 10 Batch 1 (8)	30/04/2013 08:58	DI Nevin Hunter NWCU	Police Personnel x 13	RESTRICTED – Meeting with RSPB yesterday	<p>RSPB Investigations Section</p> <p>RESTRICTED</p> <p>Dear all,</p> <p>I just thought I would provide you with an update from my meeting with RSPB Investigations yesterday. The meeting was supposed to be between myself and the Head of Investigations S40(2) Personal Information. However, S40(2) Personal Information was brought into the meeting. As the meeting was held in Edinburgh and I had travelled there specifically for it I agreed to go ahead.</p> <p>During the meeting I explained about the development of a Police Standard Operating Procedure for dealing with wildlife crime with appendices focused on each wildlife crime priority. I then spoke specifically about interim guidance I have been putting together for Police officers regarding raptor persecution and poisoning related incidents in particular.</p> <p>I outlined that in the interim guidance investigations would be led by the Police or Natural England where appropriate. I outlined that it was the Police view that the RSPB should be considered as witnesses providing evidence to enable investigations to be undertaken and that they should play no part in them. As you can imagine they were not happy.</p> <p>Recent cases were discussed and it was clear that they we had significant differences of opinion. I did not at any stage divulge the results of analysis from work undertaken by HSE/FERA from any cases.</p> <p>In summary it was clear there view were that the ends were justified by the means in almost all cases and they even admitted this. To give the most recent example they saw absolutely nothing wrong with their role in the Study case in Norfolk. They did not accept my concerns or those of Detective Chief Inspector Neil Firm about the role played by S40(2) Personal Information in the case.</p> <p>Other cases such as the Sledmere case in Humberside and the Helbeck cases in Cumbria were also discussed. S40(2) Personal Information was dismissive of any role that NE staff could play in such cases stating on more than one occasion that he had 27 years experience in these cases and that the RSPB were best placed to support any Police investigations. He did not believe that NE was able to support either interviews or give advice on appropriate charges relating to pesticide issues in such cases.</p> <p>Other issues were discussed and they advised that they would be involved in investigations and that their 2 million members would expect this. They also said that my legacy would be that I had destroyed effective working between the Police and the RSPB. I noted their concerns. Even though they said this I still agreed to consider their concerns as the SOP was being developed.</p> <p>They stated at one stage that they were concerned the NWCU had got involved in raptor persecution cases as my predecessor had told staff in the unit that they were not to become involved in such cases. I asked</p>
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					<p>them to substantiate this as it was complete rubbish as far as I was concerned. S40(2) Personal Information stated that he had reliable intelligence to this effect.</p> <p>They advised me that they would not be advising the NWCU of any cases they were involved with the Police at the local level as their recent experience was that when they did this the unit then 'stopped' them working with the RSPB. They advised me that they knew about all cases involving raptor persecution as members of public only reported them to the Police. I advised them they were wrong about this, though I did not elaborate on cases I know about that have been investigated recently.</p> <p>I am sending this message to you to alert you to the fact the meeting was held and that I suspect that they will possibly make contact with you.</p> <p>I will consider the issues they have raised with me, but if anything my resolve has hardened following the meeting. The Police will not be dictated to by an NGO. It is right that the Police and appropriate statutory agencies such as NE, HSE, FERA work together to deal with illegal abuse of pesticides/wildlife crime in a way that is seen as fair and objective doing what is proportionate, necessary and legal.</p> <p>Regards,</p> <p>Nevin Hunter</p>
5 OF 10 Batch 1 (10)	30/04/2013 08:58	DI Nevin Hunter	Elain Close HSE Pam Lickiss HSE Paul Cantwell DEFRA Peter Karner DEFRA	Meeting with RSPB yesterday	<p>RESTRICTED</p> <p>Dear all,</p> <p>I just thought I would provide you with an update from my meeting with RSPB Investigations yesterday. The meeting was supposed to be between myself and the Head of Investigations S40(2) Personal Information. However, S40(2) Personal Information was brought into the meeting. As the meeting was held in Edinburgh and I had travelled there specifically for it I agreed to go ahead.</p> <p>During the meeting I explained about the development of a Police Standard Operating Procedure for dealing with wildlife crime with appendices focused on each wildlife crime priority. I then spoke specifically about interim guidance I have been putting together for Police officers regarding raptor persecution and poisoning related incidents in particular.</p> <p>I outlined that in the interim guidance investigations would be led by the Police or Natural England where appropriate. I outlined that it was the Police view that the RSPB should be considered as witnesses providing evidence to enable investigations to be undertaken and that they should play no part in them. As you can imagine they were not happy.</p> <p>Recent cases were discussed and it was clear that they we had significant differences of opinion. I did not at any stage divulge the results of analysis from work undertaken by HSE/FEA from any cases.</p>

					<p>In summary it was clear their view was that the ends were justified by the means in almost all cases and they even admitted this. To give the most recent example they saw absolutely nothing wrong with their role in the Study case in Norfolk. They did not accept my concerns or those of Detective Chief Inspector Neil Firm about the role played by S40(2) Personal Information in the case.</p> <p>Other cases such as the Sledmere case in Humberside and the Helbeck cases in Cumbria were also discussed. S40(2) Personal Information was dismissive of any role that NE staff could play in such cases stating on more than one occasion that he had 27 years experience in these cases and that the RSPB were best placed to support any Police investigations. He did not believe that NE was able to support either interviews or give advice on appropriate charges relating to pesticide issues in such cases.</p> <p>Other issues were discussed and they advised that they would be involved in investigations and that their 2 million members would expect this. They also said that my legacy would be that I had destroyed effective working between the Police and the RSPB. I noted their concerns. Even though they said this I still agreed to consider their concerns as the SOP was being developed.</p> <p>They stated at one stage that they were concerned the NWCU had got involved in raptor persecution cases as my predecessor had told staff in the unit that they were not to become involved in such cases. I asked them to substantiate this as it was complete rubbish as far as I was concerned. S40(2) Personal Information stated that he had reliable intelligence to this effect.</p> <p>They advised me that they would not be advising the NWCU of any cases they were involved with the Police at the local level as their recent experience was that when they did this the unit then 'stopped' them working with the RSPB. They advised me that they knew about all cases involving raptor persecution as members of public only reported them to the Police. I advised them they were wrong about this, though I did not elaborate on cases I know about that have been investigated recently.</p> <p>I am sending this message to you to alert you to the fact the meeting was held and that I suspect that they will possibly make contact with you.</p> <p>I will consider the issues they have raised with me, but if anything my resolve has hardened following the meeting. The Police will not be dictated to by an NGO. It is right that the Police and appropriate statutory agencies such as NE, HSE, FERA work together to deal with illegal abuse of pesticides/wildlife crime in a way that is seen as fair and objective doing what is proportionate, necessary and legal.</p> <p>Regards, Nevin Hunter</p>
5 of 10 Batch 1 (9)	30/04/2013 09:00	NWCU	Elain Kendall DEFRA	Meeting with RSPB yesterday	<p>RESTRICTED</p> <p>Hello Elaine,</p>

					<p>Sorry for the short reply last night. The below message details some of the key issues. Happy to discuss this later if you are available? I was staggered at their arrogance.</p> <p>Nevin Hunter</p>
4 of 10 Batch 1 (7)	30/04/2013 09:16	NWCU	Police Personnel x 13	RESTRICTED – Meeting with RSPB yesterday 2	<p>RESTRICTED</p> <p>Folks,</p> <p>Below is elf-explanatory. I was frankly staggered by their arrogance.</p> <p>Things I did not include below but I would be interested in:</p> <ul style="list-style-type: none"> • They claimed they are involved in Police investigations in Scotland? Does this mean searches on hillsides only? • They claimed they are involved in warrants in Scotland? Is this correct? • S40(2) Personal Information claimed he had good intelligence from somebody in the unit that Brian Stuart had told all in the unit not to investigate raptor persecution. I defended Brian on this saying this was an absolute lie as far as I was concerned • S40(2) Personal Information made personal comments about the competency of Paul Cantwell to give advice to Police Officers on either interviews or charges. • BE stated repeatedly that they get all the reports of raptor persecution cases and that they can control how these are fed to the Police! He clearly did not know about some of the recent cases. Neither he nor S40(2) Personal Information were aware that Sledmere had been investigated or that Norfolk had the results back from FERA for Study. • When they started talking about the legacy I would leave I was very forthright. As S40(2) Personal Information had been making notes I said to him – ‘Write this down in your note – I don’t give a shit about my legacy’. I then went on to say that this was about the Police doing the right thing in the right way and that we will not be dictated to by an NGO. Appreciate not the most appropriate language – but trying to play a trick like this was unbelievable. <p>No doubt I will think of other things. I have agreed to consider what role they could play in any cases and need to clarify the Scotland issue referred to above.</p> <p>Grateful for any comments or views, thoughts.</p> <p>Regards,</p> <p>Nevin Hunter</p>
3 of 10 Batch 2 (8)	30/04/2013 09:40	Andrew McWilliam NWCU	Nevin Hunter NWCU Christie Aldridge NWCU	Meeting with RSPB yesterday	<p>Nevin,</p> <p>On my few forays north of the border relating to raptor persecution, RSPB have been involved in land</p>

			<p>Alan Bowden Police Scotland Helen Bulmer (?) Sue Eddy NWCU Charles Everitt Police Scotland Miranda Gray NWCU Tracy Jones Police Scotland Alison Midgley NWCU Colin Pirie NWCU Alan Roberts NWCU Anan Stewart Police Scotland</p>		<p>searches and I have never known them go beyond this, but I only have a few jobs to base this on.</p> <p>BS had little knowledge or understanding of investigating wildlife crime or what Alan and I actually did and knew little of what we were actually involved in, but one things I am sure of is that he did not tell me that I was not to investigate raptor persecution - my answer to him would have been brief.</p> <p>S40(2) Personal Information is unbelievably arrogant and seems to believe he is the only person qualified to deal with this area of work and to question Paul Cantwell's competence is a disgrace.</p> <p>On 22nd June 2012 in a cafe at Holmfirth S40(2) Personal Information told me (and you can quote me on this) that he was aware of the problems with S40(2) Personal Information and that he was too controlling and that he would be addressing the problems.</p> <p>S40(2) Personal Information has told me himself that he is a control freak and you can quote me on that as well.</p> <p>Did you hear about the time that S40(2) Personal Information was wrong about something?</p> <p>No I haven't either!</p> <p>The jungle drums will be busy this morning.</p> <p>Andy</p>
6 of 10 Batch 2 (19)	30/04/2013 10:00	Charles Everitt Police Scotland	<p>NWCU Sue Eddy NWCU Helen Bulmer NWCU Andy McWilliam NWCU Alison Midgley NWCU Alan Roberts NWCU</p>	Meeting with RSPB yesterday 3	<p>RESTRICTED</p> <p>Nevin,</p> <p>The RSPB have been involved in investigations and warrants in the past in Scotland. Over the last two years, they have been kept to hill searches only. However, their involvement in investigations will be diminishing as the PF's are requiring WCO's to justify why they are taking an NGO onto land... and it will need to be a valid reason. Consequently, the PF dropped the RSPB off the recent D&G warrant as their presence could not be justified when searching for pesticide.</p> <p>Blair Wilkie used the RSPB earlier this month to search around a sea eagle nest and their expertise at examining the nest-lining showed it to have been in recent use - so perfectly justified - but the RSPB will consider it to be "involved in investigations."</p> <p>Andy Mavin and the PF has similar views to us and, while the RSPB thought they could cite Scotland as a place where they are still involved in investigations, their time is coming up here as well - they just haven't woken up to it yet! The RSPB will kick and scream as the transition takes place but ultimately they cannot change the demands of legal opinion. They are - and always will be - simply an NGO and cannot expect to manage wildlife crime.</p>

					<p>The threat to effectively withhold raptor persecution incidents will only result in severe criticism and credibility issues; the RSPB becoming the biggest obstruction in raptor persecution investigation?!</p> <p>Brian never told me to ignore raptor crime. What nonsense!</p> <p>As you know, Scotland awaits your SOP with interest.</p> <p>Charlie</p>
3 of 10 Batch 2 (7)	30/04/2013 10:27	NWCU	<p>Andy McWilliam NWCU Helen Bulmer Police Scotland Sue Eddy NWCU Charles Everitt Police Scotland Alison Midgley NWCU Police Scotland Alan Roberts NWCU</p>	Meeting with RSPB yesterday 4	<p>[RESTRICTED /]</p> <p>Picking up on Andy's point about §40(2) Personal Information controlling requirement, I got two officers to go down to search an egg thief's house in W Mids. They had a Scottish search warrant backed by a magistrate in W Mids so they were acting under Scottish powers. Knowing what §40(2) Personal Information is like I specifically told them when it comes to the interview of the suspect it would be by them only, with any comments by §40(2) Personal Information beforehand being taken into consideration. §40(2) Personal Information could not believe he was not being allowed in to the interview.</p> <p>Kind Regards</p> <p>Alan Stewart Intelligence Officer National Wildlife Crime Unit</p>
2 of 10 Batch 2 (6)	30/04/2013 11:24	Alan Roberts NWCU	<p>Nevin Hunter NWCU Christie Aldridge NWCU Alan Bowden Police Scotland Helen Bulmer (?) Christie Aldridge NWCU Sue Eddy NWCU Charles Everitt Police Scotland Miranda Gray NWCU Tracy Jones Police Scotland Andy McWilliam NWCU Alison Midgley NWCU Colin Pirie NWCU</p>	Meeting with RSPB yesterday 2	<p>Hi Nevin,</p> <p>Two things come to mind. Firstly, no man is an island and second how far can we rely on a puppet?</p> <p>On the first, there is undoubtedly a great deal of experience to be tapped with the likes of §40(2) Personal Information, §40(2) Personal Information, §40(2) Personal Information and §40(2) Personal Information (sorry I don't really know the Scottish office). However, in these days where actions are closely examined and cases are thrown out on detail along with corporate responsibility dictating action we cannot afford to bend (or break) rules at will because we have a preconceived idea of the outcome we are going to achieve. The only way we can realistically involve any body that is not answerable to the lead agency is to actively manage their involvement. In short, if they cannot be trusted to act within the confines of the law during the investigation they cannot be allowed to act on behalf of those who are answerable.</p> <p>Also, those mentioned above will not last forever and so any long term agreement has to be subject to succession planning. Currently any newcomers are being trained in methods that are fundamentally flawed and without direction from somebody competent to show them the correct way they are unlikely to see it as relevant. §40(2) Personal Information seems to be happy to believe he can use his experience to bluff his way through any challenges in court etc. In reality it is more likely that the less experienced newcomers (or police) will find themselves in deep water pretty quickly (look how easily Andy was able to turn §40(2)</p>

			Alan Stewart Police Scotland		<p>Personal Information over when he tried to bluff a story about something as innocuous as a press release. Think about that in Crown Court faced down by a sharp barrister).</p> <p>On the second point, if S40(2) Personal Information is in charge, then he doesn't give that appearance very well. I appreciate there are differing management styles but really, what was he thinking? As I understand things, the Investigations Dept at the RSPB is not in the centre of the corporate philosophy and there are those who believe they should leave upsetting the public to the professionals and get on with conservation. In the light of that, he might be better looking at how they can adapt to changing circumstances. In any big organisation, anyone who is not prepared to read the writing on the wall and just remains intransigent and stamps their feet, saying, "you can't do without me", tends to end up being passed by as everyone else moves on. I would hate to see that happen after all the good they have done over the years. S40(2) Personal Information needs to get a grip and come to the negotiating table (without S40(2) Personal Information). Ironically, it was the dinosaurs that developed feathers that survived as birds, the rest died out.</p> <p>Finally, it really is as arrogant as it gets to say that they are the only ones capable of dealing with these matters. I would like to see how far have their methods moved on. They are very capable of advising on egg collectors and identifying eggs. They are very experienced in assisting with the prosecution of gamekeepers. In how many cases have they taken their investigation up the ladder and prosecuted management? How much have they done on developing intelligence about the supply of illegal pesticides amongst those who wish to abuse it? How many gamekeepers have they actually got on board as sources? Could the answers to those questions be influenced by the fact that their very presence on a search automatically inflames the situation and police find themselves accused of working at the behest of the RSPB.</p> <p>S31(1)(a)(b) Law Enforcement</p> <p>Realistically, I think they would be a very good resource to have available for searches, setting covert cameras with landowner permission etc and of course whatever they do outside the remit of RIPA/MOPI etc. However, if they are to be used then it has to be done under the control of a lead investigator, to whom they are answerable under signed agreement. This also applies to RSPCA or anyone else interested in doing this sort of work.</p> <p>I have no idea about any instruction not to investigate BoP persecution. BS was far more likely to say, "Just go and do it. I want at least 3 gamekeepers in the jail by the end of next week", then ask why you hadn't the week afterward.</p> <p><i>Alan Roberts Investigative Support Officer National Wildlife Crime Unit</i></p>
4 of 10 Batch 2 (10)	01/05/2013 15:33	DI Nevin Hunter NWCUC	DCI Neil Firm Cumbria Police Andy McWilliam NWCUC	Peregrine Incident Carrock Fell 19/4/13 – Cumbria	<p>Hello Neil,</p> <p>After your recent issues with RSPB I apologise before you read this message for its content -</p>

			Richard Quinn Cumbria Police		<p>The below email has been brought to the attention of NWCUC by PC Helen Felton from Cumbria. One of my team advised her not to disclose any information to RSPB.</p> <p>Two issues of concern are raised in the email:</p> <ol style="list-style-type: none"> 1. Mention of a PNC check 2. Asking the officer to do checks with AHVLA regarding the person named to see if he keeps birds of prey. <p>Having discussed the email with my team we wondered how a PNC check was done by RSPB as the timescales do not appear to have been long enough to make a request via DVLA – let alone whether they would have supplied the information. Helen raised this with her boss Inspector Richard Quinn and back checks were done via PNC. This revealed that prior to Colin at NWCUC doing the check earlier today the previous check was completed in Norfolk. A copy is attached. I appreciate that your force may have an ISP or other agreement with RSPB and this may be all in line with it, but it seems strange on the face of it that a check would be done with your force for a job in Cumbria.</p> <p>RSPB are well aware that they cannot access information supplied by AHVLA to the Police as I ensured that this was put in place when I was seconded there and the suggested actions are unfair on the officer.</p> <p>I met with S40(2) Personal Information and S40(2) Personal Information in Edinburgh on Monday and detailed to them Police concerns about their working practices and how we would be looking to implement the Interim guidance for the investigation of raptor persecution and later the SOP by the Police (along the lines we have been discussing recently). During the course of the discussion I outlined my concerns that their actions on occasions could lead to a Police Officer getting into jeopardy. I hope that this is not the case here, but feel this issue should be brought to your attention.</p> <p>I am about today if you would like to discuss this further.</p> <p>Regards,</p> <p>Nevin Hunter</p>
4 of 10 Batch 2 (9)	02/05/2013 09:51	DCI Neil Firm Norfolk Police	NWCUC	Peregrine Incident Carrock Fell 19/4/13 – Cumbria	<p>Nevin,</p> <p>I have made some enquiries and the RSPB do have authority to make checks with ourselves through the PNC bureau within the Norfolk Constabulary, hence the request by S40(2) Personal Information. Although it does seem strange to make the request from Cumbria to Norfolk, although it could be that Norfolk is one of the few Forces who allow this.</p> <p>Not Captured</p> <p>Neil</p>

					<p>Neil FIRM Detective Chief Inspector Criminal Investigation Department</p>
3 of 10 Batch 1 (6)	19/06/2013 07:07	NWCU	PWCOs	The NWCU, Police and NGO's	<p>PROTECT</p> <p>Dear PWCO,</p> <p>I am sending this email out as an addition to item 13/15 in the NWCU Intelligence Bulletin dated 23rd May 2103 (copied below in blue) as I have recently had contact from several NGO's who are expressing concern over the development of the wildlife crime SOP:</p> <p>'13 (15) Raptor and other persecution involving the use and abuse of poisons and pesticides W IIS updates</p> <p>The NWCU now have a weekly conference call with Paul Cantwell at Natural England (NE) to discuss ongoing W IIS cases.</p> <p>NWCU have an agreement with NE that they will advise us at the point that any case goes into the WIIS. Previously we and you only knew at the point at which analysis had been completed. The aim of the new process is to enable us to make an intelligence assessment and to notify you of this and the submission into WIIS. In some cases you may already know that cases are being submitted. But in others where a member of public, a member of NE staff, or the RSPB or other organisation pick up carcasses of birds etc. you may not.</p> <p>This early heads up means that you and we can consider what is the most appropriate action to take. In most cases this will involve waiting for laboratory analysis. Normally this will take 12-16 weeks for the results. However, cases may be prioritised and in these cases results may be available within 2 weeks of submission.</p> <p>Priority cases may be those involving multiple victims, potential threat to human health etc.</p> <p>The advice we would offer in these cases is that they are considered as Police investigations, led by the Police and that the role of NGO's is very carefully considered. The NWCU and NE have the capability to offer any support needed for such cases to you. At the point at which results are known from laboratory analysis we strongly advise that a planning meeting be held involving both the NWCU and NE and an investigative plan agreed.</p> <p>Development of SOP and Interim Advice on cases related to WIIS</p> <p>Many of you will know of the recent meetings held across England and Wales to discuss raptor persecution issues. The NWCU are looking to develop a Standard Operating Procedure for the investigation of wildlife crime and hope to link this to a wider Integrated Strategy to tackle wildlife crime that would incorporate training, conferences, international links etc.</p> <p>Interim advice will be developed for raptor persecution cases and specifically linked to the WIIS. However, in the meantime we would ask that you follow the advice detailed above.</p> <p>Nevin Hunter – Head of NWCU'</p>

				<p>In the past couple of weeks I have been contacted by both IFAW and the RSPCA concerning information they have received claiming that myself and the NWCUC are advising Police Officers that they should not involve NGO's in wildlife crime investigations. I would like to clarify that this is <i>not</i> the case - the NWCUC are suggesting a need for a wildlife crime SOP which would give clear guidance as to the role of NGO's in police operations, but does not necessarily exclude them from the process.</p> <p>Apparently this erroneous information has come from other NGO's and several PWCO's. The only NGO I have had any discussion about investigations and the role they play in them is with the RSPB Investigations Unit, specifically with S40(2) Personal Information and S40(2) Personal Information, and this followed the series of meeting held across England and Wales earlier this year to consider raptor persecution issues. Having run these it was clear that Police Officers attending them acknowledged Police failings in dealing with a significant number of investigations. Examples were discussed that covered everything from initial intelligence handling, through to surveillance, investigative planning, confidentiality/media agreements, disclosure issues, executing warrants, handling exhibits, interviews of suspects, file preparation, court proceedings and post conviction interviews. During the course of discussions the role of NGO partners were discussed and the roles partners should play in different wildlife crime scenarios was considered. The conclusions from each meeting were consistent – the Police need Standard Operating Procedures (SOP) for dealing with wildlife crime as we have them for all other areas of criminal investigation we are involved with. In addition the role of NGO's must be carefully considered and that where the Police and Statutory Government Agencies have the expertise to deal with investigations they should do so.</p> <p>Following these meetings it is clear that there is an urgent need to professionalise the investigation of wildlife crime and to meet the exacting standards required by the UK Police service for all criminal investigations. The NWCUC are now looking at how a SOP could form part of an Integrated Wildlife Crime Model ensuring that training, conferences etc are coordinated and linked to it. The aim of all of this is ensure a more professional approach from the Police and to mainstream this work into core policing. This means ensuring the principles of the NIM are complied with as well as a host of other areas of work going on across the Police service, e.g. OCG mapping etc. Essentially we MUST play the Police game if we want to be taken seriously. This approach driven by the NWCUC is already paying dividends within Policing as tackling wildlife crime is increasingly being seen as relevant and something that fits into wider policing agendas such as the links to Rural crime and is notable in England and Wales with the development of PCC's.</p> <p>I suspect that there is mischief making going on here, but if any PWCO or other officer has concerns about what is proposed then I would ask that they contact the unit directly to raise them. I would happily brief officers about the recent meetings held and which were offered out to every force across England and Wales.</p> <p>Regards,</p> <p>Nevin Hunter</p>
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8 of 10 Batch 1 (21)	16/10/2013 08:54	D/Inspector Jon Papworth Norfolk Police	Norfolk Police Personnel	Norfolk ISP with RSPB	<p>Hello Dawn,</p> <p>It has been recommended I contact you regarding the below!</p> <p>Nevin Hunter is the DI for the National Wildlife Crime Unit. I know that they are looking at the remit of the RSPB as an agency and how they handle information etc.</p> <p>To be perfectly honest, I have no idea about how the ISP with the RSPB or what access they have to PNC and what they do with the information, but I think NWCU are raising it as a potential issue.</p> <p>Any help appreciated!</p> <p>Thanks,</p> <p>Jon</p>
8 of 10 Batch 1 (22)	16/10/2013 08:54	DI Nevin Hunter NWCU	T/Inspector Jon Papworth Norfolk Police NWCU Personnel x2	Norfolk ISP with RSPB	<p>Hello Jon,</p> <p>Are you aware that your force has an ISP or some other agreement that allows RSPB to obtain data via PNC?</p> <p>I raised this with Neil before he retired and he said he was going to address it. This came about as a result of a case in Cumbria earlier this year involving a suspected egg-collector who had a Cumbria address, with a vehicle registered there and with a Cumbria incident. RSPB used the channel they have via your force to obtain PNC data.</p> <p>I queried it with Neil if this was acceptable? Can you advise me what has been sorted please?</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
2 of 10 Batch 1 (5)	16/10/2013 16:40	DI Nevin Hunter NWCU	CoP Intellskills	NGO's and use of CHIS etc	<p>Dear College of Policing,</p> <p>In my world we are increasingly coming across issues relating to Non Governmental Organisations, their use of 'sources'/CHIS and roles played in Police criminal investigations. Having completed as much background work as I can I cannot really find anything in literature etc that can offer any guidance on this area.</p> <p>Is there anyone that I could contact who may be able to offer advice on this area of work please?</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
7 of 10 Batch 1	17/10/2013 14:54	NWCU	Police Personnel x 5	CHIS and NGO's	PROTECT

(16)					<p>All,</p> <p>S31(1)(a)(b) Law Enforcement He was initially suggesting we should not have too many concerns, but then when he clocked it that RSPB etc become an intrinsic part in investigations then this was of concern. He raised an interesting issue – that of the way they obtain informants etc, whether they pay etc. His suggestion with the SOP is that there should be a Memorandum of Understanding drawn up between Police/NGO's as to how NGO's will deal with CHIS. He said this may have political ramifications if others see Police signing up to these with NGO's, but that if jobs go wrong as they currently are then reputationally it is the Police who will get it in the neck. If NGO's fail to comply with an MOU then it is their reputation that would be under threat. He was surprised that there is no consistency of approach involving the different NGO's. He said that the NIM review team are looking at driving the concept of single organizational MOU's/ISP's etc.</p> <p>He also described the RSPB approach of saying sources will not speak to the Police as old hat and that it should be challenged.</p> <p>He could not think of other instances where NGO's run CHIS etc and then become involved in investigations. He is going to get a colleague – who runs DSU for Counter Terrorism in the Met to make contact and offer advice as they do work with NGO's.</p> <p>I will keep you posted.</p> <p>Detective Inspector Nevin Hunter</p>
8 of 10 Batch 1 (20)	18/10/2013 10:22	Norfolk Police Personnel	Norfolk Police Personnel	Norfolk ISP with RSPB	<p>Bernie,</p> <p>As you know PNC Vehicle information is disclosed to the RSPB under Home Office Circular for disclosure of information to Non-Police Prosecution Agencies. The PNC Bureau retains a list of authorised contacts who are x referenced with their unique staff number for security purposes. As the process has been in use for so long, the original protocol (if there was one) is no longer retained. The information is disclosed in conjunction with ongoing investigations or intelligence held by the RSPCA.</p> <p>I have looked at HO Circulars and can only find reference to the RSPCA –</p> <p>Is this enough information to relay to Jon Papworth?</p> <p>Sue</p>
8 of 10 Batch 1 (19)	21/10/2013 08:51	Norfolk Police Personnel	Norfolk Police Personnel	Norfolk ISP with RSPB	<p>Sue,</p> <p>Yes. But, if we no longer hold and information sharing agreement then we may have to work with data protection to introduce a new one. Indeed, if there is concern about what they are doing with the info, we may have to withdraw it.</p>

					Bernie
2 of 10 Batch 1 (4)	21/10/2013 12:28	DI Nevin Hunter NWCUC	D/Supt Jayne Cowell MPS Michael Reeder CoP	NGO'S and use of CHIS etc	<p>Hello Jayne,</p> <p>It may help with this to give a bit more background –</p> <p>The NWCUC provide intelligence, analytical and operational support to Police forces and other LEA's across the UK involved with wildlife crime.</p> <p>The piecemeal way in which expertise in investigations into wildlife crime has developed over the years has led to a number of different working practices developing depending upon which type of crime is being investigated. In order to address this and on behalf of the ACPO lead the NWCUC are developing Standard Operating Procedures. In doing so this has highlighted practical issues of working with NGO's where they have been involved with what they all call 'informants'.</p> <p>As non-Public Authorities they are not covered by RIPA/RIPSA. However, some such as RSPCA have working practices that mirror the processes put in place for policing. Others do not. Most notable are the RSPB and that way in which they 'handle' what they refer to as 'informants'. Defence solicitors are now being employed who are questioning the role played by NGO's in Police investigations and are starting to focus in on this in an effort to discredit investigations.</p> <p>The area of particular concern is the role played where RSPB Investigators (they have an Investigations Team) deal repeatedly with what they refer to as 'informants'. This includes:</p> <ul style="list-style-type: none"> • They claim that they never task them etc, and yet have repeated contact with them. • They will never clarify if any monies etc are exchanged for information • They claim that 'informants' don't trust the Police and therefore will not hand them over to forces for DSU's to deal etc. • They will present 'intelligence' gathered from 'informant's, undertake surveillance (such as trespassing and using cameras and direct surveillance on shooting estates), covertly seize evidence (such as suspected poisoned birds of prey dead on shooting estates), present intelligence and any evidence (e.g. filming obtained) and then expect to be part of enforcement activity such as being involved using the same staff involved so far on Police warrants, searches, interviews and file preparation. <p>The consistency of approach we feel policing should adopt should be based upon best practice from elsewhere. However, it is unclear whether this exists.</p> <p>With this in mind and accepting that every case may be different the view of my team is that we should be recommending a precautionary approach and advise investigators to keep the CHIS/investigations issues</p>

					<p>separate in line with sterile corridor principles. We could also look at challenging the practice of not being prepared to hand over 'informants etc. We could realistically look at MOU's etc to progress these issues.</p> <p>Can I stress we are not looking to cut out partnership working, but to ensure investigations are resilient.</p> <p>Any thoughts on this and any other comments would be gratefully received.</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
8 of 10 Batch 1 (18)	23/10/2013 08:45	Norfolk Police Personnel	DI Nevin Hunter	Norfolk IPS with RSPB	<p>Hello Jon,</p> <p>It seems, having checked the authority by which we disclosed vehicle information to the RSBCB , I have checked our files and cannot now find an agreement so the force may have to work out a new information sharing agreement, however, if the overarching authority is now the UK National Wildlife Crime Unit they may have their own processes and as Bernie Docherty (PNC Liaison Officer) says the authorisation for disclosure of vehicle information may have to be withdrawn.</p> <p>I have recently written to the RSPB asking for an update of their contact details which we hold to ensure unique numbers held against each contact is correct, this number is x referenced with the contact details for security purposes. I received a reply from S40(2) Personal Information (on behalf of S40(2) Personal Information) nothing was mentioned regarding this ongoing query.</p> <p>If Nevin would like to reply to me, I will then know who to proceed.</p> <p>Thank you.</p>
8 of 10 Batch 1 (17)	23/10/2013 09:43	NWCU	Norfolk Police Personnel x2	Norfolk ISP with RSPB	<p>Hello Sue, Jon,</p> <p>I have discussed issues with Alan Roberts from my team. He is an ex-Norfolk officer and is aware that there was some form of agreement that your force had with RSPB relating to Operation COMPASS, your annual operation focused on illegal egg collecting. My concern is that any such agreement would presumably have been for in force enquiries within Norfolk or associated with Norfolk.</p> <p>In the scenario I outline below I think RSPB should have referred their information to Cumbria Police as it was an incident in their force.</p> <p>As far as I am aware the Home Office circular was only ever focused on the RSPCA, who having a Royal Charter do undertake investigations and their own prosecutions.</p>

					<p>NWCU are currently preparing a National Standard Operating Practice relating to the investigation of wildlife crime and the issue of NGO's accessing Police PNC data etc has reared its head. It appears that there are several old protocols/working practices that have never been updated around the country.</p> <p>The RSPB are a charity and not a law enforcement agency. With every Police force having Wildlife Crime Officers they should be referring any cases/queries through them.</p> <p>NWCU do not have any overarching ISP applicable to the Police service and covering NGO's such as RSPB.</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
2 of 10 Batch 1 (3)	30/10/2013 15:28	S31(1)(a)(b) Law Enforcement	DI Nevin Hunter NWCU	NGO's and use of CHIS etc	<p>Boss,</p> <p>Please see e mail below from Nevin Hunter from the National Wildlife Crime Unit.</p> <p>I have spoken at length with him today and the ACPO lead for this Business Area will contact you soon about NGO's and their use of CHIS in various capacities. Obviously, although not covered by RIPA, it would be advantageous for all NGO's to reflect the Police Management of CHIS systems to maximise source safety, preserve the sterile corridor and increase and secure convictions. Quite clearly this is not happening at the moment and is being exploited by defence lawyers during trials.</p> <p>I have also suggested that Nevin attend the NSWG in December to provide the group with a presentation around the current issues he has identified and how he would like to take this matter forward to the benefit of all concerned.</p> <p>In the meantime I am doing some scoping work within the Met and around the country to identify any NGO's (of any type) that may have any MOU's in place around the management of CHIS and the transference of that intelligence into police investigations.</p> <p>Happy to discuss further.</p> <p>Jayne</p>
2 of 10 Batch 1 (2)	30/10/2013 16:49	DI Nevin Hunter NWCU	Police Personnel x6	NGO's and use of CHIS etc	<p>All,</p> <p>S31(1)(a)(b) Law Enforcement is the Secretary of the National Source Working Group. I had a good chat with her this afternoon. Very supportive of helping us to address issues re NGO's and RSPB in particular. Her thoughts are to ensure top cover for her/me that we get respective ACPO leads to talk to each other.</p> <p>She advised that the issues we have re informants/CHIS handling, sterile corridor, evidence handling etc do need addressing and that we should work this through and then address with NGO's in a way that is seen as not confrontational, but reflects the changing needs for policing and meeting our needs, not to be</p>

					<p>obstructive, but to achieve what they would also want which is to ensure that the criminals are dealt with and prosecutions have the best chance for success.</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
Batch 3 2 of 4 (3)	02/12/2013 18:00	DI Nevin Hunter NWCU	NWCU x6 HMRC x3 AHVLA x2 Devon & Cornwall Police	S40(2) Personal Information Presentation	<p>RESTRICTED</p> <p>Nevin,</p> <p>I have copied this email to a number of 'trusted' individuals that were present at this weekend's Wildlife Enforcer's Conference. They may be able to confirm that my recollections of S40(2) Personal Information presentation are accurate.</p> <p>On Sunday morning at conference S40(2) Personal Information gave a presentation about the S40(2) Personal Information investigation, although S40(2) Personal Information was only ever referred to a Mr. X. He was of course was never prosecuted. I have some concerns about the content and tone of his presentation.</p> <p>Some of the issues about the tone I have come to expect and in the main I can live with.</p> <p>The presentation was entitled "The Good, the Bad and the Ugly", which for effect he gave it a western theme, including spaghetti western music, images of Clint Eastwood and other western related references. He probably thought it was entertaining and clever. However the result was that he alienated a lot of the delegates and he came across as being arrogant and self righteous – you will all appreciate this is not my usual phraseology, but I am being professional.</p> <p>Dealing with the content of the presentation.</p> <p>There were certain aspects of the inquiry that I had been involved with and as a result I am aware of some of the issues he raised. I have to agree that there were some errors of judgment made by Durham Police during the investigation, but ultimately these were dealt with and their case was successful. S40(2) Personal Information raised some these issues during his presentation and was pretty scathing about Durham Police. I agree that they did make errors, but they were dealt with. Even if he felt he was justified, I did not feel that the conference was the correct forum to be so openly critical.</p> <p>Having first hand knowledge of certain aspects of the inquiry, I feel his presentation was economical with facts and as a result delegates were left with the 'S40(2) Personal Information' take on events.</p> <p>S40(2) Personal Information</p>

				<p>He referred to intelligence that they (RSPB) had submitted to the NWCU relating to nominals in USA, Australia and Finland. Forgetting the fact that this was actually 'Police' and not RSPB intelligence, he referred to 'missed opportunities' for 'them' (RSPB) to deal with "smuggling" offences. Grant Millar put him straight and in no uncertain terms told him that smuggling was actually a matter for the UKBF and not for the RSPB to deal with. §40(2) Personal Information</p> <p>tried to deflect all this by saying that the intelligence had gone to the NWCU. I think he was a bit shell-shocked and 'got the message'. Alison Clarke rightly pointed out the responsibilities that they at AHVLA have with information they hold and said that they would only release it to LEAs and not NGOs. Alison had serious concerns about the information they hold being mishandled, which may result in AHVLA being placed in an awkward position with another CITES MA.</p> <p>It is the issue of intelligence that I have the biggest problem with.</p> <p>During his presentation he referred to intelligence gleaned that related to US citizens, which suggested that they had exported eggs to the UK. I am aware that this intelligence was properly logged and processed by Colin, who subsequently disseminated it through the appropriate channels to the USFW Service. Obviously §40(2) Personal Information</p> <p>was frustrated that the USFW had not been in touch with him and so according to him, and I quote: "Being a nosy so and so I took it upon myself to contact the USFW", he suggested that the intelligence had been lost – I am not sure about this, because I think there is actually a full audit trail.</p> <p>In time Colin disseminated the same intelligence through §23(1) Information Supplied by, or Concerning, Certain Security Bodies for the USFW and ultimately it ended up with two of their Special Agents, who it would appear were contacted by §40(2) Personal Information</p> <p>. According to his presentation – they are doing "nothing" and continuing on his western theme, he referred to the agent's as a couple of "cowboys". Referring to Agents from USFW in such terms in open conference is, neither helpful nor appropriate. I would also add that his views in no way reflect my own dealings with USFW Agents, which have been extremely positive. I am sure others would concur.</p> <p>§40(2) Personal Information made a reference that there was somebody in the US with a very large collection of eggs, which the USFW were doing nothing about.</p> <p>This is wrong on two counts:</p> <ol style="list-style-type: none"> 1) The reference to a "large collection" is pure speculation and as far as I am aware there was never any other intelligence apart from: 'Mr ZZZZZZZZ in the USA may have sent somebody some eggs'. Mr. ZZZZZZZZ may or may not have a collection, we don't know. <p>§40(2) Personal Information</p>
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					<p>2) has no idea whether the USFW are taking any action or not. He has no idea whether the intelligence is relevant to anything they are working on or whether it may be relevant in the future. He is obviously frustrated that he does not have control.</p> <p>In addition to the US end of things, he made it known that he had been in contact with officers in Australia and Finland to discuss intelligence that went to them.</p> <p>I hope my recollections of the presentation are accurate.</p> <p>The Police, UKBF and NWCUC have protocols and procedures to follow. 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. The RSPB want to be part of an 'investigation', but they are not prepared to work within the legal framework LEAs have to adhere to. They do not seem to trust the LEA to do their job. I find it quite staggering the S40(2) Personal Information believes he can bypass all the protocols and safeguards that have been developed over many years, just because he is quote, "A NOSY SO AND SO". The fact he believes that he can broadcast what he did to open conference, shows the arrogance of the man.</p> <p>Enough is enough and I think this matter really needs taking further.</p> <p>Regards</p> <p>Andy</p> <p><i>Andy McWilliam</i> Investigative Support Officer National Wildlife Crime Unit</p>
Batch 3 2 of 4 (2)	02/12/2013 18:13	Sue Bradshaw Gloucestershire Police	Andrew McWilliam DI Nevin Hunter NWCUC	S40(2) Personal Information Presentation	<p>Andy, Your ears must have been burning as I have literally just put the phone down on Nevin and in general conversation about a number of matters. I said to Nevin what an excellent conference it was this year but it was disappointing that S40(2) Personal Information had to make such pointed remarks in his presentation again.!</p> <p>I would agree that the slant he used and the tone was unprofessional and not the correct forum to raise just issues and his perception of failings in Durham. (especially singling out a police Inspector in such a manner)</p> <p>The western theme was not amusing once you realised the reason for its use.</p> <p>I would concur with your recollection of the facts.</p> <p>Kind regards,</p> <p>Sue Bradshaw Detective Inspector</p>

Batch 3 2 of 4 (1)	02/12/2013 18:25	Sue Bradshaw Gloucestershire	DI Nevin Hunter NWCU	S40(2) Personal Information Presentation	<p><i>Not Captured.</i></p> <p>I am more than happy to support Andys view point as he has articulated this well and professionally.</p> <p>Kind regards,</p> <p>Sue</p>
Batch 3 1 of 4 (1)	02/12/2013 18:51	Alison Clarke AHVLA	NWCU HMRC Devon & Cornwall Police; Gloucestershire Police	S40(2) Personal Information Presentation	<p>Nevin</p> <p>I agree entirely with Andy McWilliam's version of events and had left you an earlier voicemail containing my concerns about both this and not captured presentation to the Conference.</p> <p>I have been informed that the Conference Organisers feel that as NGOs and Traders have paid to attend the conference, they should be given the same opportunity as others to give presentations. I believe that this argument is seriously flawed.</p> <p>S40(2) Personal Information not only openly named and shamed the Police Forces and other enforcement bodies that in his opinion did not perform to his standards, he 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 UKBF who have laid down protocols with this organisation.</p> <p><i>Not captured</i></p> <p>I agree with Andy that these matters need to be taken further. I propose that the Police, UKBF and AHVLA contact the conference organisers to point out the issues and suggest a workable solution for the future – e.g. presentations to be submitted in advance and the content scrutinised for accuracy and whether appropriate for the intended audience.</p> <p>In addition, presentations should be given at both the forthcoming PAW Conference and next year's Police Conference (if there is one) on the correct protocols when investigating wildlife cases. Included should be an item on the issues of giving information and potential consequences if the DPA is not adhered to.</p> <p>Finally, a joint strongly worded letter should be sent to S40(2) Personal Information in respect of the actions of the RSBP and the consequences of not adhering to the laws on DPA, etc and also pointing out the correct procedures for Wildlife Investigations.</p> <p><i>Not Captured.</i></p> <p>As you are probably aware Elaine attended the conference and witnessed firsthand the actions of the individuals mentioned above.</p>

					<p>Not Captured.</p> <p>Regards</p> <p>Alison Clarke Head of Compliance Animal Health and Veterinary Laboratories Agency (AHVLA)</p>
Batch 3 1 of 4 (4)	03/12/2013 08:13	Andy McWilliam NWCU	S40(2) Personal Information RSPB	Personal Reference	<p>S40(2) Personal Information,</p> <p>You will recall back in 2009 you asked me to provide a reference for you. I was happy to oblige and thought it was appropriate at that time. It was a personal reference and I hope it was of some value at the time. However, I would be grateful if you no longer relied on this document and I would ask that you withdraw it from any file you may keep.</p>
Batch 3 1 of 4 (3)	06/12/2013 11:19	S40(2) Personal Information RSPB	Andrew McWilliam NWCU	Personal Reference	<p>Andy</p> <p>Have to say your email was something of a surprise, and Tuesday did probably not count as my best day at work. Consequently I have left it a few days before replying.</p> <p>I have taken your reference, and the ones kindly supplied by others, as backup to a number of court cases, but thankfully never had to use them. I will of course not rely on the document in the future as you have requested.</p> <p>I would naturally like to know whether you are able to tell me what prompted your email. If it is something not suitable to go on an email, please give me a call if necessary.</p> <p>Regards</p> <p>S40(2) Personal Information</p> <p>Senior Investigations Officer</p>
Batch 3 1 of 4 (2)	09/12/2013 21:17	Andrew McWilliam NWCU	S40(2) Personal Information RSPB	Personal Reference	<p>S40(2) Personal Information,</p> <p>The decision to withdraw my reference is a purely personal decision and as a matter of courtesy I will give some sort of explanation.</p> <p>I wrote the reference in 2009, which at the time I was quite happy to do. However, recently I have been uncomfortable about certain matters that have come to my attention and I have considered contacting you about this sooner, but until now I had resisted.</p>

					<p>The tipping point for me was your presentation at the conference, in which, with a couple of exceptions, you seemed to slate everybody but yourself. Whether you felt that the criticism was justified, I don't feel it was the appropriate for such a public 'humiliation'. Referring to colleagues as 'cowboys' etc was uncalled for and in my opinion was a gross misjudgment, which did nothing but alienate a significant number of delegates present – probably more than you realize. I can live with that, but you also showed that you are not prepared to adhere to the protocols, procedures and regulations that LEAs have to adhere to, and it is that with which I have a problem.</p> <p>We cannot pick and chose which rules we follow and rely on the fact "we used to do it that way". Times have changed and we need to accept and even embrace any changes, even if deep down we believe that changes aren't for the better.</p> <p>As I say there are number of issues that cause me concern, some of which I am not prepared to discuss at this moment in time.</p> <p>Withdrawing the reference may not be a major issue, but it is not a decision I took likely.</p> <p>Regards</p> <p>Andy</p>
9 of 10 Batch 1 (25)	12/12/2013 10:55	Colin Pirie Senior Intelligence Officer NWCUC	DI Nevin Hunter NWCUC	BLAGGING	<p>NOT PROTECTIVELY MARKED</p> <p>NH</p> <p>Please have a look at</p> <p>http://www.bbc.co.uk/news/uk-25018059</p> <p>which refers to 'BLAGGING' – tricking companies/organisations into revealing personal data.</p> <p>These 2 x 'Private Eyes' and 5 x others are due to be sentenced in January 2014.</p> <p>I'm thinking about the RSPB getting PNC vehicle data from Norfolk for a case in Cumbria [Helbeck].</p> <p>S40(2) Personal Information may well be part of the RSPB Investigations Team, but he is not warranted in any way to seek out such personal data.</p> <p>[I checked PNC around the time and he made the request]</p>

					<p>RSPB Investigations Team are in effect the same as or less than 'Private Investigators'</p> <p>I'm unsure where Norfolk are with their 'internal enquiry' into the release of the PNC data to the RSPB but I'm pretty sure that they have 'tricked' Norfolk into getting this PNC data.</p> <p>If this is so then RSPB could well have breached the DPA.</p> <p>Of course leaves the Police open to criticism – which I would not like.</p> <p>Are you aware of where Norfolk are with their 'enquiry?'</p> <p>Do you want me to try a 'test' question to the ICO?</p> <p>CP</p> <p>PS – Sorry to mention this but its something we need to clear up for your SOP.</p> <p>Colin Pirie</p> <p>Senior Intelligence Officer</p> <p>UK National Wildlife Crime Unit</p>
9 of 10 Batch 1 (24)	12/12/2013 20:53	DI Nevin Hunter NWCUC	Colin Pirie NWCUC	BLAGGING	<p>Colin,</p> <p>Dave Knight sent this to – think we may have discussed before - RSPCA are telling the Police down here that this judgement allows Police to hand over computers etc for them to obtain evidence from.</p> <p>Be interested in your take on this – my thoughts are focused upon the conclusion:</p> <ul style="list-style-type: none"> • The case was one where the CPS decided not to prosecute – so presumably Police submitted an evidence file or took advice and were told not to investigate • The actions involved a private prosecution taken on after CPS had decided not to <p>Whilst this may cover RSPCA enquiries it is notable talking to Dave today that this emphasizes the need for Police working with RSPCA to have clearly defined roles, responsibilities and agreements etc. He said that the E crime company used by RSPCA undertake that if they uncover any evidence during their evaluation of a computer/mobile to notify Police immediately. This would need to be written into any planning meeting etc and have some written undertaking by RSPCA.</p> <p>All above does not apply to RSPB as they do not undertake private prosecutions. In fact reading this case it clearly precludes Police from doing what they may with RSPCA.</p> <p>Detective Inspector Nevin Hunter</p>
9 of 10 Batch 1 (23)	14/12/2013 13:02	NWCUC	DI Nevin Hunter	BLAGGING	<p>WORKING FROM HOME</p> <p>NH</p>

					<p>Very interesting.</p> <p>I totally disagree that this judgement is an all consuming consented hand-over of computers from Police to the RSPCA following any legal search via PACE etc.</p> <p>Section 53 is important – ‘Subject to the ECHR....’</p> <p>It looks like in Police/RSPCA cases there has to be an agreement at some point about who prosecutes – CPS or RSPCA Private Prosecution – whether prior to any joint operation, or as events develop during any joint op. [we’ve covered this before]</p> <p>Clearly it’s a matter for the Police to consider what they do when they seize exhibits, and who they hand them to, taking into account ECHR issues.</p> <p>[Here’s all the computer downloads NGO – let me know how you get on?]</p> <p>Surely the Police OIC would consider CPS advice if they were unsure about handing over exhibits to a Private Prosecutor or make enquiries with their Force Legal Team?</p> <p>Where does the right of a 3rd party ecrime investigator acting on behalf of the RSPCA come from to peruse through an individual’s personal data?</p> <p>There’s a case for downloading computer data and a case for the Police to view matters and pass on the <u>relevant</u> data that pertains to animal welfare matters.</p> <p>I am quite frankly appalled that in the world of wildlife policing the Police are handing over computers/computer downloads, to a Charity, who then use a 3rd party to look for evidence.</p> <p>I would be suing the Chief Constable, not for retention of property taken during a lawful search, and not because FACT or RSPCA wanted to prosecute me, but for the handing over of non relevant personal data to a 3rd party.</p> <p>[We are not allowed to openly read other persons personal snail mail – and what is email?]</p> <p>I fully accept that the CPS cannot do everything and that Parliament is supportive of private prosecutions in the public interest.</p> <p>I’m pleased the RSPCA take prosecutions – but – gosh we need your SOP!!!! You will have to get your Force Legal Team and ACPO Information Officer on board for this SOP.</p> <p>CP</p>
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					<p>Colin Pirie Senior Intelligence Officer UK National Wildlife Crime Unit</p>
Batch 3 3 of 4	19/02/2014			Minutes of Helbeck Case Review Meeting	<p style="text-align: right;">Helbeck Case Review Meeting 19th February 2014 Durranshill Police Station</p> <p>Present: Inspector Willets – Cumbria Police Sergeant Chambers – Cumbria Police PC Branthwaite – Cumbria Police Det Inspector Hunter – NWCU Andy MacWilliam ISO – NWCU Paul Cantwell – Natural England Pam Lickliss – HSE S40(2) Personal Information – RSPB S40(2) Personal Information – RSPB</p> <p>Apologies: Elaine Close – HSE PC Fairweather – Cumbria Police</p> <p>Minutes</p> <p>12:10 hrs – Inspector Willets opened the meeting, all members introduced themselves.</p> <p>Sgt Chambers facilitated a chronological breakdown of the Helbeck investigation.</p> <p>S31(1)(a)(b) Law Enforcement</p> <p>Sgt Chambers explained that RSPB Officers were given full access on the warrant to carry out searches which was a decision he would modify for future investigations.</p> <p>Action/Learning Points:</p> <ul style="list-style-type: none"> • NGO involvement at warrants to be reviewed as no powers in this process. • Sgt Chambers suggested possibly having NGO's present but for specific and justified enquiries only, not blanket access.

				<p>The reason for these concerns was raised by NWCUC due to potential to raise issues in court of the blanket access given. This could potentially bring the integrity of the investigation into question.</p> <p>RSPB stated they would prefer to have access to search warrants to ensure retrieval of best evidence and would object to a blanket ban of them being present. It was highlighted this would be a policing decision.</p> <p>RSPB wanted to be reassured that this restriction of access would be with a view to improving the integrity of investigations not isolating NGO's and they want to be assured that investigations are progressed.</p> <p>5. Suspect interviews. Sgt Chambers confirmed that in this case RSPB were allowed to assist with interviews and he would in future approach this differently for the same integrity concerns already mentioned.</p> <p>Action/Learning Points:</p> <ul style="list-style-type: none"> • Not to have NGO's assisting in a PACE interview • Adopt a conference approach stopping the interview at suitable points to enable advice to be sought from NGO's if suitable • Consider a Detective Constable to assist with interviews <p>6. Other points to discuss</p> <p>RSPB – requesting tape transcripts RSPB felt that as present at the interview this was a justified request, Police disagreed.</p> <p>RSPB – requesting/accessing lab results Police/NWCUC/HSE all agreed this was not appropriate and there should be no reason or requirement to be party to this level of information in a Police investigation.</p> <p>CPS – Early consultation This was raised by Insp Willetts as an option for future investigation to receive guidance on the likelihood of a case reaching the required levels for a decision to charge before a lengthy investigation is undertaken. All agreed this to be a sensible consideration for the future.</p> <p>The strength of evidence in this case was questionable and Peter Kelly's decision was raised. RSPB felt there was enough to charge but Police and NWCUC disagreed as there were too many gaps in the evidence. It was felt that early consultation would not have changed the decision by CPS in any way. An appeal was therefore not progressed for this reason.</p> <p>NWCUC – Investigative Support Officers and role of Unit NWCUC re-iterated the role of the unit and how they could have assisted further in this particular case. Andy McWilliam was present at the warrant and attended a further meeting. The unit is a resource available to</p>
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					<p>us as a Force and can and is willing to assist in all aspects of an investigation. They are a Police unit and can ensure the following of best practice in all aspects of an enquiry.</p> <p>RSPB raised the point that they have never been questioned at court for being involved to this same extent in any other investigation or for the way they have handled sources of information. Other parties present felt that it was no longer appropriate to take the risk of losing a case on any of the issues highlighted and the advantages outweighed the disadvantages.</p> <p>Overall the level of NGO's needs to be controlled to ensure no unnecessary risks are taken which can bring the case into question at court and that this approach is the only way to improve the integrity and in turn results of Wildlife Crime investigation for the future.</p> <p>Insp Willetts closed the meeting and all agreed it had been a beneficial exercise to have the opportunity to discuss the case with all partner agencies present.</p>
10 of 10 Batch 2 (22)	18/06/2014 17:37	DI Nevin Hunter NWCUC	S40(2) Personal Information RSPB	RESTRICTED – Reply to your letter	<p>RESTRICTED</p> <p>Hello S40(2) Personal Information,</p> <p>This is my last proper working day and I have a mass of things to clear. However, I regard this as serious enough that I have spent some time putting this email together and apologise it is not in letter form.</p> <p>You said to me last year that you thought I 'got it' regarding wildlife crime and raptor persecution in particular. I have ever since working with your team back in early 1990's as an operational officer. However, I have moved on and the Police service has moved on in the way it undertakes all aspects of investigative practice. The network of PWCO's and support across policing to tackling wildlife crime is not perfect, but is embedded in the Police psyche and the subject is considered a significant issue. There is a constant drive to improve. The RSPB are among a number of organisations that have asked the Police to improve our response to tackling wildlife crime. The service has moved massively since the early 1990's. With this has come the development of the NWCUC. We provide internally the expertise to enable the Police to investigate effectively.</p> <p>The RSPB needs to reflect and reconsider how it could offer support to the Police in a way that the Police want. You use the phrase 'report and depart' – we agree that this is what you should expect, but that there may be a role for you, though this is for the Police to articulate. Gather intelligence and evidence and hand it to the Police to investigate, supported by the NWCUC. The development of the NSOP is not about restricting the role of NGO's in investigations, but is about ensuring that the Police investigate effectively. You do not accept that this could mean that RSPB do not need to be involved in all aspects. That said the NWCUC always want to share good relationships with you.</p> <p>General comment regarding your letter</p>

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				<p>, you trespass on the estate for around 6 years, you conduct surveillance, you find and handle evidence. You then 'assist' on the warrant and actually direct officers to evidence? RSPB then interview suspects and want to direct the CPS as to who and what they get charged with. 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? It is therefore difficult to see how RSPB can expect to be treated as independent experts when embedded in an investigation of this type.</p> <p>You seem to miss the point with Helbeck, the decision not to prosecute was made purely on evidential grounds. There were 4 gamekeepers on the estate, CPS was only asked to consider charging 2, but there was nothing in evidence that would exclude the other keepers. There was no evidence that would prove who, if anybody laid baits.</p> <p>We have no issues regarding the email if the case had gone to court</p> <p>Concluding comments</p> <p>The RSPB need to understand that the goal posts have moved now with investigations. In the past the reality was that cases were often 'led' by yourselves. However, with the advent of the unit and the raised profile of wildlife crime there is a better policing response. Any investigation should sit within policing and the statutory agencies to make decisions regarding – isn't this what the RSPB have been asking for over the years?</p> <p>The comment in this email is not a 'parting shot'. I sincerely hope that RSPB can reevaluate the role that you could play in supporting the Police role in investigations and contribute successfully. I fear that with the significant reduction in intelligence provided to the NWCUC over recent years on the basis that you staff feel they will be excluded from investigations that NWCUC will not see any change. You said to me last year that your members will demand you are involved in investigations. You may be, but the Police with our support will decide how and where.</p> <p>I appreciate that you may want to discuss this with me. I am happy for you to contact me via my email:</p> <p>S40(2) Personal Information.</p> <p>to arrange this.</p> <p>Regards,</p> <p>Detective Inspector Nevin Hunter</p>
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