



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

Department of Justice
Freedom of Information Team
Information Services Division
Block 5
Knockview Buildings
Ballymiscaw
Stormont
Belfast
BT4 3SL

Telephone 028 90378617
Email: foi@justice-ni.gov.uk

Freedom of Information Team

6th July 2023

REFERENCE: FOI\23\43

Dear Madam,

Thank you for your request for information dated 15th June 2023 as detailed below.

'I am looking to acquire statistical data on the average fine amount given for wildlife crimes convicted under wildlife legislation. I have provided a word document with specific acts and sections to aid in your search. This would be needed from all years of 2012 to 2022.'

I have attached a word document with Offences I am interested in by Section and Act to help assist in the search for this data'

The legislation listed in your query was as follows:

Wildlife and Countryside Act 1981

Offences under:

Section 1 (1)(a)- Killing, injuring, or taking wild birds.

Section 1 (1)(b) - Taking, damaging, or destroying birds' nests,

Section 1 (2) (a) - Possession or control of any live or dead wild bird, or any part of, or anything derived from such a bird.

Section 1(5) (a) - Disturbing wild birds.

Section 6 (1) (a) - Sells, offers for sale or has in his possession any live wild bird other than a bird included in Part 1 Schedule 3 or an egg of a wild bird or any part of such an egg.

Section 9 (1) - Killing, injuring, or taking

Section 9 (4) (a) – Protection of animals' nests or roosts

Section 9(4)(b) - Disturbing wild animals

Section 11 (1) (a) – Set in position any self-locking snare



Section 11 (1) b) - Any person commits an offence if they use for the purpose of killing or taking any wild animal any self-locking snare.

Deer Act 1991

Offences under:

Section 1 (1) - Entering Land in search or pursuit of any deer with intent to take, kill or injure it.

Section 1 (2) - Taking, killing or injuring deer or attempts to take, kill or injure any deer.

Section 2 (1) - Intentionally taking or killing any red, fallow, roe or sika deer during the close season.

Section (3) - Taking or killing a deer at night.

Section 4 (1) (a) – Any person who sets in position any article which is calculated to cause bodily injury to any deer.

Section 4 (1) (b) – Any person who uses any trap or snare or poisoned/stupefying bait or net for the purpose of taking or killing any deer.

Section 4 (2) Use of prohibited weapons or drugs to use to injure or kill any deer.

Night Poaching Act 1828

Offences under:

Section 1 (a) - take or destroy any game or rabbits on any land unlawfully at night.

Section 1 (b) - Unlawfully enter or be on any land with any gun, net, engine, or other instrument with the purpose of taking or destroying game.

Game Licences Act 1860

Offences under:

Section 30 - Unlawfully use any dog/gun/net/engine to take/kill/pursue and game or woodcock/snipe/deer/rabbit without a proper licence.

Protection of Badgers Act 1992

Offence under:

Section 1(1) Unlawfully killing, injuring, or taking any badger.

Section 2 (1) (d) – Killing badgers by prohibited means.

Section 3 – Interfering with a Badger sett.

Section 5 - Marking or ringing live badgers.

Game Act 1831

Offences under:

Section 30 – Trespass in the daytime by entering or being upon any land in search or pursuit of game, woodcock, snipe or rabbits.

Hunting Act 2004

Offences involving:

- Hunting a wild mammal with a dog

- Knowingly permitting land to be entered or used in the course of hunting a wild mammal with dogs

- Knowingly permitting a dog to be used in the course of hunting a wild mammal.

- Participating in a hare coursing event

- Attending a hare coursing event.



Wild Mammals (Protection) Act 1996

Offences under:

Section 1 – Anyone who kills, mutilates, kicks, beats, nails or otherwise injures and wild mammal with intent to inflict unnecessary suffering.

Countryside Rights of Way Act 2000

(Only require data on trespassing offences that are in relation to accessing land for the purpose of hunting/killing a wild animal)

Section 2(4) – If a person becomes a trespasser on any access land by failing to comply with

In relation to the question you have posed in part 1 of your query, information in relation to offences reported to police may be available from the Police Service of Northern Ireland.

In relation to the question posed in your query, not all the pieces of legislation listed apply in Northern Ireland. Therefore, we are not able to provide direct information in relation to prosecutions or convictions for offences prosecuted under those pieces of legislation. The Department is only able to provide information in relation to cases dealt with at courts from 2012 to 2022, the most recent year for which information is available, which were prosecuted under legislation applicable in Northern Ireland.

A search of Departmental datasets indicated there were no cases completed at courts in the period 2012 - 2022, where there was a successful prosecution for an offence under the legislation applicable in Northern Ireland.

Note:

1. This figure relates to initial disposals at court. Appeals are not included.
2. This figure relates to cases dealt with at Crown Court and magistrates' courts.
3. This figure relates to cases where there was a successful prosecution or conviction for at least one offence under legislation specified.
4. This figure relates to cases prosecuted by Public Prosecution Service on behalf of the police and other Governmental bodies.



If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask him to investigate whether the DoJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Freedom of Information Manager

