

INCIDENT REPORT

1 The Law

Shooting, responsibly and legally conducted, is a lawful activity.

2 Aggravated Trespass

On private land it is a criminal offence (aggravated trespass) to obstruct or disrupt anyone pursuing a lawful activity. It is also an offence to intimidate someone so as to deter them from taking part in that activity. Blocking an access road, walking in front of a shooter when they are about to shoot, threatening or attacking a shooter can all be criminal offences.

The police have the power, in most circumstances, to arrest anyone committing a criminal offence.

3 Trespass

Trespass itself (being on land without permission) is a civil offence. The police have no power to act. A landowner or his agent may ask trespassers to leave, and subsequently may use "reasonable force" to remove them. "Reasonable force" can be interpreted in many ways by the courts, and the use of force could leave one open to prosecution. The police are only likely to intervene in removing trespassers to prevent a breach of the peace.

Trespassers are not required to give their name and address to anyone. The police may only demand these details when a criminal offence has been committed.

A court injunction can be obtained against possible repeat offenders. Someone who contravenes an injunction can be held in contempt of court.

In Scotland, legislation relating to trespass is more complicated, and it is sometimes argued that the offence does not exist. However, anyone causing actual damage or disruption may be requested to leave the site of a shoot. There is also recourse to an interdict, similar to an injunction, to guard against repeat offences.

4 Public rights of way

A public right of way (such as a footpath), exists only to allow the passage from A to B - i.e. from one place to another. It does not give the right to demonstrate or indulge in any other activity.

5 Criminal damage

This falls into two types. It is a criminal offence to destroy or damage property belonging to another without authority or permission. It becomes aggravated criminal damage if there is an intention or a possibility that the damage could endanger life.

6 Assault

A common assault can be defined as a threat or offer to commit violence against an individual. More serious offences, such as actual bodily harm, through to attempted murder, are committed when injuries are sustained.

7 Intent

The Police have power to intervene if they believe a criminal offence is about to be committed.

8 Plan ahead - be prepared

It is essential that all shooters have a plan for dealing with saboteurs or demonstrators. They must understand what to do in the event of disruption. In vulnerable areas, where saboteurs are known to be active, plans should be discussed with the Police in advance.

9 Before you go shooting

In vulnerable areas, make contact with the local Police. If appropriate, provide them with a list of shoot dates, a contact name and telephone number and indicate where shooting may take place.

Keep in mobile telephones, the local Police station number and especially the local Rural Wildlife Police Officers number. Speaking directly to the local Wildlife Officer can save time and they should be aware of the local unit's involvement with antis in a particular area and so be able to offer immediate assistance.

Avoid placing hides, high seats or other equipment in advance in areas which may draw undue attention.

Make sure someone knows where you are going and what time you are likely to be back. Make sure they have your mobile telephone number.

10 On the shooting day

Ensure you have -

- A mobile phone, programmed with the most effective police contact number.
- A camera, notebook and pen for recording evidence (attached is a form devised for this purpose). A disposable camera will be sufficient. Descriptions of individuals are particularly important. It may be necessary to identify an offender in court, when they are more smartly dressed, and link them to particular actions.

11 What action to take

- Record details of any vehicles used in an incident.
- If you suspect someone is behaving in a way with which you are not happy, ensure that the firearm is immediately unloaded, placed in their slip and kept secure with the shooter. Never become involved in a dispute, nor let you gun fall into the hands of an unauthorised person.
- Demonstrators will be seeking to provoke reaction and retaliation. A calm, measured response is essential.
- Ensure that all vehicles are left secure, with no firearms or ammunition being accessible.
- Take care of dogs and put them on leads as soon as an incident seems likely to occur and remember that noxious sprays and chemicals have been used against foxhounds. Provocation may even extend to trying to aggravate the dog.

12 It's your word against theirs

The shooter has a lot to lose if taken to court. The saboteur often has nothing to lose. Many saboteurs make a career out of protest and actively seek to be arrested. Often, if reliant on state benefits, they pay little in the way of fines or fees.

Be aware that shooters may be filmed and saboteurs may spit, swear and use any form of provocation in order to provoke a violent response. If this happens, they have won.

When making notes, difficult as it may be at the time, look for details which will identify a saboteur when the balaclava is replaced by a smart suit in court. Record details of the actions of saboteurs (and their names if possible) rather than groups, and make notes of the effects of those actions on those around you. Record dates and times where possible as this information will be invaluable if required at a later date in court.

Incident report form whilst shooting
*For use in recording an incident or reporting suspicious activity to
the Police*

Name			
Address			
Contact telephone number			
Location of incident			
Grid reference if known			
Date and time of incident			
Vehicle details			
Correct registration number	Vehicle 1	Vehicle 2	Vehicle 3
Make and type of vehicle			
Colour of vehicle			
Number of occupants			
Description of any persons (tattoos, height, gait, etc)			
Any dogs? If so, what breed?			
Any weapons? If so, what type?			
Details of Incident			
Any criminal offence (damage, theft, threats etc)			

Date and time of incident
.....

Date and time you reported the incident to the Police
.....

Police incident number