

Beyond Wildlife Crime:  
Realist Social Relations Crime Scripts of  
the Illegal Taking of Deer

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## **Dedication**

To my mother, Katherine, who provided me with the multiple conditions of existence to pursue my work. And to my father, Peter, the rural worker.



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## **Abstract**

This thesis explains the organisational characteristics of the illegal taking of deer and the illicit processing of venison in the rural West Country. The thesis conceptualises these offences as mundane fauna crimes that are internally related to grey game enterprise. It argues that these original terms supersede the categories of the wildlife crime of poaching and offer an enhanced analytical precision to the problem. The thesis is a revelatory case study, with no existing literature on the case in the British context. Critical realism is used to explain the interactions of a diversity of necessary relations and the contingent conditions which enable or constrain those diverse determinations. Determinations which unify to generate the tendency of grey game enterprise crimes. The abstract entities of agency and structure are brought into the concrete using the realist social relations crime script. This innovative framework obviates neither the proximal settings, nor the distal contexts of offending and therefore advances upon rational choice models of crime script. Models which this thesis argues are static, mono-causal and deterministic. The thesis contributes to green, rural and food criminology, while offering the novel paradigm of mundane fauna crime for future research. The thesis is important due to the severe public health implications should contaminated meats enter food supply chains and due to the detriment that illegal taking is doing to local gene pools of once thriving deer in the secluded South West. The thesis offers multiple sites for practitioner intervention into the crime script, including political economic and socio-cultural, as well as the situational. It also offers an innovative, accurate and robust conceptual toolkit for future research in the emergent field of mundane fauna and grey game enterprise crime.



## List of Figures

1. Interview Table .....	72
2. Rural Workers illegal taking script .....	115
3. Enterprise Owners illegal taking script.....	116
4. Rural Workers illicit processing script .....	156
5. Enterprise Owners illicit processing script.....	165
6. Greg Game Enterprise micro script.....	190
7. Intervention mechanisms: responses to crimes .....	240



## **List of Acronyms and Abbreviations**

AGHE	Approved Game Handling Establishment
DEFRA	Department for Environment, Food and Rural Affairs
EH	Environmental Health
FSA	Food Standards Agency
NFU	National Farmers Union
TS	Trading Standards
WCO	Wildlife Crime (police) Officer



# Table of Contents

<b>Declaration .....</b>	<b>i</b>
<b>Declaration .....</b>	<b>iii</b>
<b>Dedication.....</b>	<b>v</b>
<b>Acknowledgements.....</b>	<b>vii</b>
<b>Abstract.....</b>	<b>ix</b>
<b>List of Figures.....</b>	<b>xi</b>
<b>List of Acronyms and Abbreviations.....</b>	<b>xiii</b>
<b>Table of Contents.....</b>	<b>xv</b>
<b>Chapter One.....</b>	<b>1</b>
<b>Introduction: Life on the Frontier.....</b>	<b>1</b>
1.1 The frontiers of criminology: Beyond wildlife crime.....	1
1.2 Understanding and explaining the secluded South West.....	5
1.3 Scope of the study: Frontier boundaries.....	9
1.4 Thesis structure and findings.....	13
<b>Chapter Two.....</b>	<b>19</b>
<b>Literature Review: Backdrop to the Frontier.....</b>	<b>19</b>
2.1 Introduction.....	19
2.2 Green Criminology.....	20
2.3 Crimes against charismatic mega fauna.....	22
2.4 Chaotic conceptions of wildlife crime, extensive strategies and radical interpretivists.....	25
2.5 Countering mega fauna bias: Existing mundane fauna crime literature 26	
2.6 Literature gaps: Empirical and analytical original contributions.....	28
2.7 Adaptation literature.....	30
2.8 Conclusion.....	35

**Chapter Three..... 38**

**Methodology ..... 38**

3.1 Introduction..... 38

3.2 Ontology and epistemology..... 40

3.3 Research strategy ..... 41

    3.3a Intensive strategy..... 41

    3.3b Adaptive theory ..... 43

    3.3c Realist social relations script framework..... 47

3.4 Case study research design..... 50

3.5 Approach to data collection: Ethnographers tool kit..... 53

3.6 Data collection and sampling procedures..... 56

    3.6a Interviews..... 61

    3.6.b Content analysis: Official operational intelligence and local media  
66

    3.6.c Participant observation..... 69

3.7 Ethical considerations and researcher safety ..... 70

3.8 Conclusion..... 72

Interview Table ..... 73

**Chapter Four ..... 76**

**Substantial Relations of Connection: Beyond the ‘Wildlife  
Crime’ of ‘Poaching’ ..... 76**

4.1 Introduction..... 76

4.2 Routine activity substantial relation as generative structure..... 77

4.3 Routine activity realist social relations synthesis ..... 80

4.4 Countryside careers and meat enterprise owners: ‘grey game  
enterprise’ offenders..... 82

4.5 The distinction between ‘proper poaching’ and the ‘illegal taking of  
deer’ 89

    4.5.a ‘Poaching’ or ‘taking’? Ownership and value ..... 92

4.6 Reasons to illegally take deer: Instrumental and expressive motivations  
of grey game enterprise offenders According to Experts ..... 96

4.7 Introducing the concept of ‘mundane fauna crime’ ..... 101

4.8 Mundane fauna as ‘likely victims’ ..... 102

4.9	The indefensible rural wilderness: Terrain where routine grey game enterprise activities converge.....	105
4.10	Muting the signal: Anthropocentric subordination of eco-centric imperatives.....	107
4.11	Conclusion.....	113
<b>Chapter Five.....</b>		<b>115</b>
<b>The Illegal Taking of Deer Crime Script.....</b>		<b>115</b>
5.1	Introduction.....	115
5.2	Developing deviance: Local natives.....	118
5.2.a	The Entering of plentiful deer habitats by rural workers: Negating the legal classification of ‘poaching’ by ‘regulatory accommodation and capture’	122
5.2.b	Meat enterprise owners: Inheriting and purchasing land to gain access to deer; Obviation of ‘poacher’ category.....	133
5.3	Entrapment of deer on pre-prepared shooting grounds.....	136
5.3.a	Delivery driver reconnoitring and proceeds of crime.....	138
5.4	Scene 4; taking time: Shooting deer at night.....	139
5.5	Targeting suitable victims: Techniques of illegally taking deer.....	142
5.5.a	Night shooting.....	142
5.5	Separate vehicles.....	145
5.6	Carcass removal.....	149
5.7	Covering up the kill: Tying up loose ends of the kill script.....	150
5.8	Conclusion.....	151
<b>Chapter Six.....</b>		<b>154</b>
<b>The Illicit Processing of Venison Crime Script.....</b>		<b>154</b>
6.1	Introduction.....	154
6.2	Illegal cutting rooms (of meat enterprise owners).....	158
6.3	Scene 7; Meat enterprise suspects integrating illegal produce with legitimate goods.....	161
6.4	Scene 8; Sell to final customer.....	162
6.5	Falsification of hunter declaration by dishonest rural workers.....	165

6.6	Scene 5; Carcass delivery ‘in-fur’ to approved game handling establishment game dealerships .....	172
6.7	Scene 6; Countryside careers suspects: AGHE dealerships collect and accept carcasses ‘no questions asked’ .....	173
6.8	Normalised meat industry regulatory non-compliance .....	177
6.9	Necessary conditions for incapacitating capable grey game enterprise guardianship: Distal script settings .....	179
6.10	Conclusion.....	188

**Chapter Seven..... 192**

**Contingent Conditions: Enabling and Constraining Structural Contexts ..... 192**

7.1	Introduction.....	192
7.2	Conditions, context and contingency .....	194
7.3	Political Economic Contingent Conditions .....	196
7.3a	Austerity policies and resource starvation of public services: The constraining of capable guardians.....	196
7.3b	Rural / Urban budgetary allocation inequity: Structural rural regime abandonment causing an absence of local capable guardianship .	201
7.3.c	Mundane fauna crime abandonment: Incapacitating mundane fauna and food crime expert guardians.....	205
7.4	Incapable guardianship contingencies: Human agency barriers to better enforcement .....	211
7.5	Environmental and food production legislation: Enabling motivated enterprise suspects.....	214
7.6	State sponsored badger cull: DEFRA policy enabling motivated countryside careers suspects.....	215
7.7	European food hygiene regulations: Legislative standing conditions of grey game illicit enterprise .....	220
7.8	Celebrity popular-culture endorsement and consumption trends: Creating market demand for illegally taken venison.....	222
7.9.	Peak season resource strain and social services abandonment: Non-crime related constraining conditions .....	224
7.10	Conclusion.....	230

<b>Chapter Eight .....</b>	<b>232</b>
<b>Conclusion: Beyond the Frontier .....</b>	<b>232</b>
8.1 Introduction .....	232
8.2 Final analysis .....	233
8.3 Implications of the research for the advancement of criminological knowledge.....	233
8.4 Recap of data chapters: empirical and conceptual contributions .....	236
8.5 Intervention mechanisms.....	241
8.6 The future of mundane fauna grey game enterprise research.....	244
<b>Bibliography.....</b>	<b>246</b>
<b>Appendices .....</b>	<b>276</b>
Appendix One: Rural workers combined crime script .....	276
Appendix Two: Enterprise owners combined crime script.....	277
Appendix Three: Grey game micro-script .....	278



# Chapter One

## Introduction: Life on the Frontier

### 1.1 The frontiers of criminology: Beyond wildlife crime

This thesis identifies the organisational characteristics of the illegal taking of deer and the structural conditions of existence leading to its emergence in the rural West Country. It argues that the terminology of mundane fauna crime, grey game enterprise and illegal taking are more accurate ways to describe the wildlife crime of deer poaching and the black market. The thesis argues that offending is better understood as a form of organised illicit enterprise activity, which is accomplished by rural and meat industry operatives as an ancillary activity to legitimate business practices. Suspects are shown throughout to conceal offending amongst their routine working activities. Thus, the process of integrating illegally taken deer within legitimate venison processing structures can be termed grey game enterprise to more accurately portray the black market in poached meats. To explain the complexities of this crime commissioning process, the thesis adopts a critical realist meta-theoretical approach and forwards a realist social relations crime script framework. This model of script uses the routine activity relations as a generative structure, augmented with a critical realist depth ontology. As such, Andrew Sayer notes that, 'There is more to the world, then, than patterns of events. It has ontological depth: events arise from the workings of mechanisms which derive from the structures of objects, and they take place within geo-historical contexts' (Sayer, 2000: 15). The social relations model provides an ontological expansion to the conventional rational choice crime script, emphasising social structure and context as the conditions of existence for the emergence of this type of mundane fauna grey game enterprise crime in the secluded South West. Contingent conditions such as seasonal tourism surges, government policies, business self-regulation models, the abandonment of eco-centric imperatives during the epoch of the Anthropocene

and protracted resource starvation of rural public services, are but some of the conditions which are identified as enabling motivated offenders and incapacitating capable guardianship. The problem of the illegal taking of deer within the grey game enterprise of the secluded South West is therefore discussed throughout as a unity of diverse determinations (Sayer, 1992: 146, 236).

This thesis represents the first academic research on what is commonly referred to as deer poaching and the black-market in venison (FSA, 2016: 25-27; Wyatt, 2016). Those terms broadly attempt to describe the un-regulated illicit activities of the rural West Country which are hidden from our view of the seemingly inviting rural idyll. This thesis therefore contributes to both wildlife crime and to food crime research. In relation to the problem interrogated by this thesis, The Food Standards Agency's Annual Strategic Assessment states; '(l)imited intelligence is held in relation to the poaching of game such as deer and little is known about the nature and scale of this criminal activity' (FSA, 2016: 26). This research has attempted to fill that gap. The thesis however advances beyond assumed categories and alights upon the reality of a more pernicious type of routine and high-volume offending. Terms emerged from this research which can be used to better understand and explain these problems. This thesis can then be said to be the first study of the illegal taking of deer and the illicit processing of venison in Britain. The work straddles the divides of green criminology, rural criminology and wildlife criminology. Although it should be more broadly associated with the critical social sciences; this is due to its post-positivist research framework and the normative concerns for vulnerable persecuted fauna. The research question is answered using a scientific aetiology by treating the problematic with a classical critical realist causal powers account (Bhaskar, 1979; Sayer, 1992; Edwards, 2016). It analyses the generative mechanisms which combine to cause crime and the conditions of existence which actualise or constrain causal capacities. This was brought into the concrete by a realist social relations crime script (Edwards and Levi, 2008). This innovative approach enables a more critical account of the problem than other existing approaches often associated with realism and a richer, more far reaching explanation, than rational choice model crime scripts.

The case studies of the illegal taking of deer and the illicit processing of venison matter for a variety of reasons. There are significant public health issues associated with the passage of potentially TB contaminated meat into the human food chain. This research shows that rural workers, notably visited in chapters 5 and 6, are routinely supplying inexpertly handled deer carcasses into Approved Game Handling Establishments and meat retail outlets. Outlets and vendors which supply food retail premises across the South West, including the thriving tourist trade that the region is renowned for. Such premises, according to expert respondents, turn a blind eye to the state of the carcass they accept, or are unaware of the origins of the venison, due to their primary focus of the significant financial profits derived from the stolen goods. The powers of regulatory agents to monitor the professional practices of meat retail outlets has been severely diminished by protracted austerity programs and failed business models of 'self-regulation'.

In addition to those anthropocentric risks, deer are being 'out-shot' by motivated offenders in bounded areas of the secluded South West. Aside from cruelty towards sentient, social and creative wild animals, the offending is resulting in severe depletions of the gene-pool in once deer rich regions. Deer that are being hunted legally by day are permitted no time to rest, when they are pursued relentlessly through the night, by illegal takers. This undermines management of the deer population to ensure its healthy reproduction and has potential for micro-extinction level events of our largest wild animal and one that is emblematic of the British countryside. This research is also therefore significant because it illustrates wider arguments about who and what constitutes victimisation in 'green criminology' that is not anthropocentric. This work not only contributes to non-anthropocentric victimology, but it extends that ontology, from charismatic megafauna, such as lions, to mundane fauna. An interest in the protection of the mundane is crucial in an epoch of advanced global warming and threats to both human and non-human eco-systems. Such systems cannot function and life on earth will cease if the mundane fauna of invertebrates and pollinators are permanently eradicated. More locally, the indirect impacts of the controversial badger cull are said to be facilitating the increase of rodents in the rural West Country, due to the destruction of their natural predator. It is also

in the interests of critical researchers to contribute to the emancipation and protection of the most vulnerable – whatever the species.

Finally, this thesis is important to the financial aspects of the organised high-volume crimes being researched. Later it is revealed that local experts estimate that some motivated offenders are making 30kPA, undisclosed and untaxed, from illegal taking. The financial rewards are so great that those particular operatives decline work on the family owned farm, instead opting to concentrate on the lucrative 2-3 hour a night taking sprees. One illegally obtained good sized deer can sell for many hundreds of pounds in the shop window of the butchers, as locally sourced venison; it can sell for thousands on the high-end rural restaurant menu. This thesis is exposing the vulnerabilities of an organised crime process related to animal harm and human health risks, whose participants are making 100% profit from illegally taken items. Intervention by experts is therefore invited into the many proximal and distal vulnerabilities of the crime scripts revealed throughout the thesis.

The broader implication of this analysis is the need to understand crime scripts in context. Thus noting the particular, contingent, conditions of illegally taking deer in the South West as contrasted, for example, with the very different conditions found in the Scottish Highlands (Sayer, 1992: 88-108). The offending exposed and discussed throughout ultimately can be understood as un(der)-regulated illicit rural markets which are historically contextualised by local cultures such as, countryside pursuits, thriving tourism and farming. Emergent from the material conditions of the indefensible rural wilderness, where offenders converge with suitable victims, during an absence of guardians, activity is triggered by political structures which ignore eco-centric imperatives. The protection of flora and fauna is subordinated in favour of the enterprise friendly anthropocentric interests. Starkly ineffective legislation for regulating the venison production industry ‘encourages’ malpractice and the regulatory capture of guardians. While local policy makers obviate investigation and prevention in favour of human-centred problems, under the conditions of protracted austerity which impoverishes resources. A rich unity of diverse determinants is discussed throughout, which allow the ancillary illicit practices

of grey game enterprise operatives researched here to not only continue uncontrolled and undeterred, but to remain all but unnoticed within the secluded rural frontier.

## **1.2 Understanding and explaining the secluded South West**

I was naturally drawn to this criminological frontier, because I am surrounded by it and at one with it. I was born in and raised in the South West, so a part of my own identity is that of the region and its agents. I recently watched the crops being harvested from my window and can currently hear the cows in a field a few hundred metres away. As will be discussed in the methods chapter, I use a sampling procedure known as probe sampling. This innovative technique is named after the natural science instrument which is used in rural professions to test the soils capacity for yielding optimum crop harvests. I would stand by my late father in a field in the region at the epicentre of my case study, as he took soil samples in his position as an agronomist. Fifteen years later I returned to that locality to conduct my own analysis. Not so much as following in his footsteps as inverting, upending and problematising them. But nonetheless retracing them, while probing samples of a different kind. Potentially researching his former clients, but probably not. For these potentially incriminating reasons, all suspects have been given pseudonyms and all respondents have been referenced using their generic professional titles. Suspect names are taken from the novels of my favourite author, while roles or professional positions were used for respondents which is in line with a critical realist ontology of structural causation (Elder-Vass, 2010). I have applied critical realism to the research in keeping with the approach which I have favoured since 2010, as a second-year under-grad, when I would be smuggled into post-graduate evening seminars (by an enthusiastic lecturer) to hear Roy Bhaskar speak, just before his passing.

My research did not begin at home, but it found its way back there. I jumped feet first into the field (scholarly and literal) to overcome the unfortunate situation of an industry sponsor pulling out of the project almost at the outset. With that access to the field removed I had to hit the ground running. Within two

months I was sat in the office of the recipient of the WWF award for wildlife crime police officer of the year. My first interview was conducted amongst thousands of pounds worth of confiscated ivory and other rare wildlife artefacts and lasted for three hours. I interviewed more and more experts on pressing core wildlife crimes, such as badger baiting, fisheries poaching and hare coursing. The respondent's enthusiasm for the topic was infectious, I was soon learning a lot from them. Seeking to remain within the confines of my studentship brief, I wanted to incorporate illegal meats entering commercial supply chains into the research. This ultimately ruled out badger baiting and hare coursing, violent offences where the carcass is of no value. The few police officers with any experience of sheep rustling who I interviewed would convey no details whatsoever of the offences. I later learned that most of such livestock thefts are farmer on farmer crimes or conducted by the traveller communities, who are also often responsible for hare coursing. A sensitive subject amongst control agencies, due to travellers being of a designated ethnic minority status. There was not much there to get stuck into either and I was reluctant to contribute my efforts toward helping the livestock industry, which already has the National Farmers Union, the Countryside Alliance, DEFRA and many interested policy makers onside. To prevent sheep rustling farmers could install bigger fences, more CCTV and better gates. It is private property thefts, not wildlife crime.

Bubbling away in the background was deer poaching and I was intent on constructing a multi-case study to include it, along with hare coursing and fisheries poaching. These animals are not protected by wealthy institutions nor are primitive situational preventative measures viable, because they are wild animals roaming freely. However, the more I learned about deer poaching, specifically in the South West, the more fascinating, complex and unique it emerged as a single case. Local experts such as vets, professional deer stalkers and regulatory agencies were all extremely willing to talk to me, for long periods and they were all brimming with significant localised insight. Some experts with experience of deer poaching elsewhere in the country conveyed how the problem in the South West was exceptional, because it was deeply entrenched in legitimate wild game enterprise that the region is synonymous with. This phenomenon was unlike conventional poaching practiced in other deer rich parts

of the country, which is usually haphazardly commissioned by rural rogues using strong dogs, either for fun or to hawk wherever they call home. It therefore required its own conceptualisations to isolate and examine the unique parts of the complex offending process.

Hence the grand concept of 'illegal taking of deer', which is not the same activity as deer poaching, due to land ownership, emerged from the analysis. Chapter 4 section 4.6 discusses the key social relations which distinguish these phenomena. It states that if suspects own the land on which they conduct deer depredation, the offence is no longer legalistically classed as an act of poaching. These situated activities are contextualised by a confluence of regional conditions. Such an assemblage causes the manifestation of a mundane fauna crime unique to the rural West Country. The region is home to the largest wild animal in the country, the Red Deer. The only other region with significant herds is the Scottish Highlands. However, the localised proximal and distal conditions enable the offending in the South West in ways that they do not in the highlands, such as more inviting climate, a county with the most badger cull zones and the last existing stag hunts. Not to mention the thriving transient seasonal tourist industry, which creates the ideal market for illegal meats while at the same time creating the conditions to overburden resource starved guardians. Therefore, much like the early 1990s Hollywood mundane fauna cult classic 'Arachnophobia', after a long period of looking elsewhere for the root of the problem, it turned out to be right under my nose, at home. The thesis therefore took the shape of a single case study, due to the plentiful data on the problem and my ability to gain good access to it.

I was particularly motivated to approach this topic and tackle it the way that I have, because of my attachment to what it means to me to do critical social science. Following scholars who have made the biggest impact on why I chose to continue in higher education to PhD level, I strongly feel that the very point of social science research should be emancipatory. There are many scholars contributing to dismantling structures causing unnecessary harm to human beings, in the fields of human rights, state crime and various critical disciplines. There is far less working in the academy to radically alter conditions which

reproduce unnecessary suffering to non-human animals. And even less so on British soil, embedded in the banalities of legitimate small to medium business practices. The biggest gains are made by grass-roots civil society-based actors, who are treated by police forces as if they are the ones breaking laws, mostly due to constructed perceptions of folk devils and instances of labelling in relation to their unfortunate appearances (dressed all in black, wearing balaclavas). I did not include any of those third sector actors in this research, as I was interested in professional high-level expertise, but the work coheres with their intent of seeking to disrupt and prevent the avoidable exploitation of animals. Other than human babies, what creatures are as defenceless, vulnerable and without recourse to protection or justice as fawns and cubs? Like shooting fish in a barrel, or a rabbit in headlights.

The capabilities of guardians to protect wild mundane fauna species were further reduced by an immediate impact of budgetary deficits in public services. The local authority which presides over a large area of the rural South West nearly declared bankruptcy during the research, which culminated in the redundancy of 130 staff and closure of frontline children's services (Harris, 2018; Chakelian, 2018). Wildlife are having what little protections they had severely eroded under such austere conditions and the agendas of a right-wing government pursuing profit interests over environmental requirements (Laville, 2018; Dalton, 2019a). The potential for subjectivist reflexivity was countered by my adoption of the scientific epistemology of critical realism, which enabled an objective account of the way combinations of mechanisms operate and under what standing conditions (Sayer, 1992: 88-95). This is a sober mode of appraisal, which distances itself from other critical hermeneutic accounts that are situated in more radical and anti-positivist (rather than 'post') philosophies of social science (Sayer, 2000). Due to my personal history with critical realism I have also sought to apply 'original' critical realism in a bid to remain a purist and maintain an indebtedness to the first wave of the tradition, rather than pursue the recent innovative elaborations which are developing the framework (e.g. Edwards, 2017).

I was therefore compelled to take up this task because it felt like a maturation of my personal insights and theoretical interests. It was also an opportunity to pursue my substantive goals of applying a rigorous critical social science to emancipatory effect on a powerless, overlooked group. This has developed from human rights, which was part of both my BA and MA, now to animal or mundane fauna welfare. Contributing knowledge towards the prevention of illegal commercial deer taking on an industrial scale hopefully meets that goal.

### **1.3 Scope of the study: Frontier boundaries**

In the rush to empirically register a myriad of anthropocentric problems, much of the social sciences overlooks eco-centric imperatives. This is unfortunate and is especially pointed for mundane fauna, which is generally perceived as the runt of the litter. As shown in the literature review to follow, there are important if incoherent contributions on the illegal killing of badgers and the institutionalised roguery of legitimate rural actors (Enticott, 2011; Somerville et al, 2015). However, the existing literature is pre-badger cull and registers deviance in the form of un-patterned revenue protection, not what is conceived in this thesis as organised enterprise activity (Enticott, 2011). Other important wildlife crime texts fail to disambiguate the variety of distinct offending processes and offenders, while none offer any robust schematics toward theorisation of the sociological problem (Nurse, 2011). Most are limited by a reluctance to push past (or even harness the full explanatory power of) the relativizing descriptive accounts produced by social constructionists. This offering therefore seeks to make the study of British wildlife crime more versatile, empirically richer and analytically innovative. It seeks to address the bias towards guarding and researching livestock thefts in the rural crime context at the expense of wild, unowned or 'valueless' fauna. One is a multi-million-pound industry with the backing of state-corporate actors, the other is wild deer in an un(der)-regulated venison supply chain. Financial power and elites dominate the discourse, which gives little attention to animals which they do not financially benefit from the protection of and are perceived as pests by these powerful

actors. The actors designated as suspects in this analysis will most likely be represented by the National Farmers Union and other sectors of the establishment. Particular centres of power within British rural crime prevention require challenging while the emerging field of research on wildlife crime needs to address more mundane but higher volume problems. This thesis seeks to contribute to those tasks.

This thesis is of importance because it fills a number of gaps in two existing literatures; wildlife crime and food crime. The study of wildlife crime itself is very much a fledgling discipline. As stated at the very beginning, there are no pre-existing academic texts on British deer poaching and venison food crimes. None on the unique character of offending in the South West as revealed in this research. By contrast, there is an abundance of research on exotic, iconic and charismatic megafauna. Being associated with the photogenic or endangered, bound up with the global illegal trade in wildlife derivatives is perhaps more appealing than exposing the hidden crimes of rural Britain. The offending is unglamorous and at times positively wretched. You need to have the stomach for illegal slaughter, in contrast to say, the illicit trade in parrots. Conservationist criminology tends to presently dominate wildlife crime texts. An inherent bias which this thesis seeks to redress, by widening the ontology of non-human species victimisation.

This thesis is also important because it contributes to the emerging realist tradition of disambiguating tenuously linked acts. In this case, offences under the banners of 'rural' and 'wildlife' crime and it isolates the necessary relations responsible for generating this real problem (Edwards and Levi, 2008). Many important rural and wildlife crime texts on UK fauna ignore political economy and unnecessarily restrict focus to features. Such omissions are unfortunate and degrade analysis, like skipping through a spring meadow while staring solely at your shoes. This analysis can be read as a holistic political sociology of mundane fauna deviance, which pushes beyond orthodox wildlife crime studies. Rational choice crime scripts might point to the problem being remedied by one of enforcement and situational preventers. This analysis shows the structural defects of policy, 'abandoned' regional economies and the misconduct intrinsic

to the legitimate wild game meat industry. Due to my adoption of a critical realist philosophy of social science and in criminology, analysis of the scripts and their underlying social relations that make crime possible, my thesis acknowledges and directly addresses the ontology of crime (Sayer, 1992; Edwards and Levi, 2008). I therefore contribute to the field with a work contextually rich and one that focuses on the structural contexts as much as the situated activity of agents. The material and ideational dimensions of this activity are both interrogated, whilst avoiding their conflation (Archer, 1995: 06). This work therefore pushes past those more restrictive iterations of 'realism' in criminology, which omit the political, economic and socio-cultural conditions which make crime possible. A notable example of restrictive realism in criminology is Pawson and Tilley (1997), which is recognised by more sophisticated realist analysis as lacking and problematic in its search for empirical regularities (Sayer, 2000: 22-23). The realist script analysis promotes a holistic analysis of the agency and structure of social relations, without reducing explanation to either (Edwards, 2016). This approach is distinguished from an existing tradition of purely proximal script analysis, that is associated with rational choice theory. That tradition is exclusively concerned with situational features and consequently ignores the generative conditions of scripts, as exemplified in recent work within wildlife criminology (e.g. Moreto and Clarke, 2013; Viollaz et al, 2018). By contrast, this thesis seeks to address this gap in the literature, through applying and advancing the realist social relations approach to the analysis of crime scripts in counterfeit consumption offences (Edwards and Levi, 2008; Edwards, 2016; Lord et al, 2017b; Bellotti et al, 2018). The work therefore contributes to the growing literature of food enterprise crimes and shows the offending to be ancillary to legal business operations, reliant on legitimate food processing structures and markets (Croall, 2007; Lord et al, 2017a).

Articulating a script that includes generative conditions is also important because there is a demand amongst control agents for this kind of explanatory insight into crime problems. For example, when I asked a respondent from the Food Standards Agency Food Crime Unit, what might the facilitating conditions of crimes be, he responded that he had no idea, but would be very keen to know, when I asked what might the facilitating conditions of offending be. A

government agent asking for an analysis of structure! The annual report of the FSA also notes how nothing is known of the illegal venison market. The one article which focused on deer poaching and the black market for venison in the UK written while this research was well under way demanded further and more in-depth research (Wyatt, 2016). This work has met that demand and plugged the gap which that ground-clearing article had, itself, failed to do, in part because of its reliance on an extensive research strategy (Sayer, 2000: 22-23; Wyatt, 2016). That work was mostly ignored by the over-stretched respondents who I sat down with and conducted long conversational interviews, in their homes, fields and offices.

This thesis therefore empirically contributes to a major gap in British 'wildlife crime' research and advances a qualitative approach to doing so. Alternative, 'extensive', research strategies would have been unable to capture the unexpected conditions, causing unintended consequences, that my thick descriptive ethnography accomplished. I established good relationships with my respondents early on in the research. Their expertise and local knowledge enabled a rich account of the standing conditions of offending and the ways that suspects commission crimes. To gain this original insight into a unique phenomenon hitherto overlooked by criminology, my research question was simply; what are the organisational characteristics of the mundane fauna crime of deer poaching and what are the enabling or constraining conditions? Each expert respondent with experience of the region and the offending added to the picture in a cumulative fashion, when I asked, 'what is happening, how is it being done and what is encouraging it?', and most echoed each other. We talked until I had grasped every turn of the script and the conditions which triggered the action or deactivated guardians.

By doing so I came to understand that the illegal taking of deer in the South West is commissioned by legitimate business actors, firmly embedded in rural and meat enterprises of the region. Offending is deeply integrated into the routine activities of the suspects, which conceals their crimes in much the same way as the illegal meats are concealed amongst the legally sourced items. Indeed, the offending is so embedded that it is almost imperceptible. You are unaware it's

occurring unless you know what you are looking at and realise it is a manifestation of a crime script.

#### **1.4 Thesis structure and findings**

The thesis is structured in accordance with the sequential stages of critical realist analysis and in the form of the continuum of the scripts themselves. Two chapters on structural and abstract entities (4 and 7) enclose two chapters on concrete agential activity (5 and 6). As such the presentation constitutes the two-step method of articulation from the abstract (concrete in thought) to the real-concrete (empirical study) to the abstract (adaptation of initial concepts). Prior to those and following this chapter is the literature review. This review chapter considers the problems with pre-existing treatments of wildlife crime, arriving at a view of them as chaotic conceptions, reflecting hurried policy constructions and often reflections of powerful interests in the policy process, rather than 'real' problems with discernible constitutive social relations (Sayer, 1992: 138; Sayer, 1998: 127). The error of bundling together an eclectic array of tenuously related problems under the collective noun banner of 'wildlife crime' is criticised and associated primarily with the influences of rational choice theorists and those employing extensive research models. The chapter introduces some of the more relevant texts which I develop in the finding's chapters. It supersedes the now outdated work of British wildlife criminology, by suggesting that rural workers are engaged in ancillary practices associated with grey game enterprise activity and not merely committing 'economic crimes' as strategies of revenue protection (Nurse, 2011: 46). Not least because those particular economic crimes have been made lawful under rural and business friendly Conservative regimes.

Following that chapter is the methodology chapter, which states how I collected and analysed data for the thesis. An intensive research strategy was implied by the question, to get at the substantial and contingent relations embedded in the real problem of illegal taking of deer. To accomplish this, I used an ethnography with data collection methods of conversational interviews, content analysis and observation of experts in the field. A single case study was

eventually settled on as the research design, but it can be understood as an exploratory or 'revelatory' single case, due to its originality and uniqueness.

Chapter four is the first of four findings and analysis chapters. These chapters handle the original data, which reveals the substantial or internal relations of the problematic of the thesis. The chapter deals with the essential features of the offences and exposes what must exist for the illicit enterprise activity to emerge in the form that it has. Substantial relations are a fundamental feature of critical realist analysis (Sayer, 1992: 88-89). This chapter is therefore abstract as it deals with conceptual categories which I built in an ongoing, iterative process while in the field, in line with adaptive theory (Layder, 1998). The major categories which emerged as useful are the concepts of mundane fauna crime and the illegal taking of deer. The proximal concept of the indefensible rural wilderness was adapted to analyse the secluded and inhospitable physical surroundings offenders are emergent from and offend within. And finally, the distal feature of signal-less events, or crimes which do not produce a signal, because the offending is of no threat or concern to local human communities. Anthropocentric or human-centred threats produce signals, while eco-centric harms in the form of killing mundane fauna like deer, foxes and badgers is normalised in rural regions as historic countryside pursuits or commercial activities. Mundane fauna crimes are thus easily deprioritised by policy makers. These concepts are inversions of notable pre-existing criminological concepts (Newman, 1972; Innes, 2004), reimagined for the rural frontier of criminology. A further primary finding is that following Edwards and Levi (2008), the fusion of routine activity theory with realist social relations theory is crucial for understanding motivated offenders in terms of causal mechanisms, that are possible because of structures of property ownership and occupation inhabited by these offenders. Informal guardians, such as landowners and farmers, also morph into conniving enablers, due to the standing conditions of regional political economies. In these terms, the chapter concludes that a deep social ontology, that can be revealed through realist crime scripts, is essential for understanding this unconventional and complex fusion of offender and guardian.

Following this, chapter five is the first of two chapters to discuss the chain of events that constitute the crime commissioning process which suspects work through to successfully illegally take deer. The chapter reveals the organisational characteristics of the offending. Both this chapter and the following are presented to reflect key turns in the script. They highlight the social processes of offending and are both more concerned with agential analysis of micro events, dispositions and situated action. However, at times it is necessary to reveal structural entities, because without certain contexts (such as the Hunting Act 2004, in chapter five), the activity would be unintelligible. The action on stage requires a backdrop.

Chapter six follows the commissioning process as it evolves from illegal taking, into the illicit processing of venison. It is at this stage that illegal carcasses enter the meat processing supply chain and financial gain is achieved. They enter through a process of integration with legitimate meats, usually in the dead of the night, in unguarded spaces, notable for their absence of capable guardianship. The illegal origins of the meats are thus imperceptible and illicit processes go unrecognised due to their concealment amongst legitimate enterprise activities. The events or 'scenes' of each subsection in the two chapters reflect the actual scripted events that suspects use to accomplish offences. Flow chart diagrams are included for visualisation, to comprehend the scripts. The two core stages of the commissioning process are separated into individual illegal taking and illicit processing scripts, while the offenders are conceived broadly as belonging to one of two script types. They are either 'meat outlet owners', also referred to as venison vendor entrepreneurs, who own land to kill deer or source product on and legitimate meat retail outlets to access markets and derive profits from stolen goods. The alternative offender type is referred to as 'rural workers', embedded in 'countryside careers'. These suspects gain permissions from property owners to be on deer rich lands, while at night and with firearms. They achieve this by means of their occupations, as gamekeepers, deer stalkers or farm hands. Pseudonyms are applied throughout the work, as discussed above.

Chapter seven provides the findings and analysis of the contingent conditions. These are the contexts which structure the two scripted activity

chapters. In line with critical realist analysis, contingent conditions are essential for explaining not what is necessary for tendencies to emerge in and of themselves, but what other conditions triggered a causal mechanism, or prevented its triggering, in a particular context. The same combination of scripted activity might not emerge in the same articulation in other places, at other times, due to the contingent contexts triggering other conditions or counteracting them. The chapter is contextual and therefore primarily deals with distal, or remote features, embedded in political economy and socio-cultural processes. These are dimensions of the social world that are ignored by rational choice script models and traditional routine activity analysis. Enabling and constraining conditions included in this chapter include austerity measures impacting police and regulatory services. Police policy makers then designate less allocation to rural forces, due to a per-person metric formula. This is conceptualised as rural structural abandonment. In combination, these two conditions constrain capable guardianship by reducing the capacity for regulating illicit activity in the secluded South West. Policing mundane fauna, the chapter argues, is abandoned and subordinated to anthropocentric policing matters.

Chapter eight concludes the thesis, by outlining the contributions this work makes to the frontiers of criminology. Those contributions centre on several distinct areas. As an empirical case study, this work contributes insights into a high volume organised illicit activity. Deer poaching and the venison black market in Britain had not been researched prior to this thesis. The theory adapted throughout suggests the crimes are better defined as the mundane fauna crime of the illegal taking of deer, by grey game entrepreneurs. Thus, a more refined conceptual apparatus is offered for explaining eco-centric deviance emanating from rural regions with a notable end market. In addition to the study alighting on a high-volume case, the form of offending is reducing the genetic diversity of the best and healthiest herds of the Country's largest wild animal. This in turn reduces the capacity for healthy reproduction of the West Country herds, due to the risk of inbreeding as the gene pool shrinks and the strongest stags are eradicated. The work therefore extends the ontology of what constitutes the victim in criminology and particularly green crime. It not only

contributes to literature on eco-centric victimology (White, 2008; South, 2015), but it reconstitutes non-anthropocentric victimology to include mundane, as well as megafauna. The thesis took in a pernicious form of organised illicit activity which has the potential to cause a localised extinction level event. The study concludes that due to an absence of capable guardianship at critical entry points of meat supply chains, illegally taken and potentially contaminated meats are able to slip into food supply chains. An absence of guardianship which is inscribed into wild game meat regulatory policy, due to a wanting traceability system that incentivises illicit grey game activity. Due to inexperienced and careless venison processing methods, the mode in which carcasses enter the food supply chain, which supplies the sizable South West tourist trade, creates a major risk to public health. The work also shows the importance of adapting and elaborating urban criminology theories for rural problems, such as defensible space, signal crimes and theories on regulation (Edwards and Gill, 2002). These themes are elaborated throughout, as is the strengths of using a realist social relations crime script to explain crime commissioning processes. The thesis can therefore be said to have important empirical, analytical and policy relevant contributions for future work.



## **Chapter Two**

### **Literature Review: Backdrop to the Frontier**

#### **2.1 Introduction**

This chapter presents the background to the problem of mundane fauna crimes and identifies gaps in the existing literature, which it seeks to address. This chapter develops a conceptual apparatus which reformulates the problem researched in the thesis. It advances a more precise framework for understanding and explaining these specific forms of deviance in comparison to the existing treatments of wildlife crime. An argument is developed to show that mundane fauna crimes, in contrast to megafauna crimes, are marginalised from existing green crime discourse. This has, in turn, secured a hegemonic position socially, politically and academically for the former. From there it emerges that 'wildlife crime', a sub-discipline of green criminology, is vulnerable to the charge of being a chaotic conception; a tenuously produced concept capturing multifarious varieties of formal relations of similarity, which have little purchase on the real problems of mundane fauna crimes (Sayer, 1998). Such conceptions are reproduced by rational choice analysis, which uses extensive research strategies that necessarily capture external and formal relations of similarity, not substantial relations of connection. The analytical contribution of this work therefore develops a realist reformulation of the problem and advances a more efficient template for explaining crimes, within their conditions of existence. In addition to this retreatment, the sole article on British deer poaching was published whilst the research for this thesis was being conducted, and as such, the gap in the literature is vast (Wyatt, 2016). In response to this marked absence, I have chosen to consult associated literatures. Works based in rural crime, enterprise crime, urban criminology and regulation literatures are discussed throughout, to better position my thesis. The approach to positioning the thesis and rearticulating the problem of illegal deer taking is therefore situated in adaptive theory (Layder, 1998). As a result, the chapter argues that a realist social

relations crime script becomes the most effective way of elucidating the real, substantial relations in connecting the problem and their conditions of possibility.

Throughout this chapter, it is argued that offences against low-profile fauna are bracketed from the focus of mainstream wildlife criminology, a school which is itself a sub-discipline, still developing in the shadows of green criminology. Despite its subject matter defining the present epoch, environmental criminology is still a fledgling concern that is currently not taught in most university criminology departments and was only recently introduced to core textbooks. A significant form of deviance that is bracketed from a marginalised and evolving paradigm can be said to benefit from a conceptual realignment, to shore up its focus, precision and impacts.

## **2.2 Green Criminology**

The first major works of Green Criminology were written in the early 1990s (Lynch, 1990; South, 1998). Since the early 2000s, the model of deviance has also been termed Environmental, Conservationist and Eco Criminology. As a result of this nebulosity, the discipline has meant many things to a variety of authors (Lynch and Stretesky, 2003; South and Bernie, 2006; White, 2008; Walters et al., 2013). Through this chapter, it is contended that while it is a triumph that Green Criminology is progressing, especially at a time when the world's biodiversity is critically threatened, its ubiquity does not come without thought provoking challenges. Challenges which this thesis seeks to respond to. Problems arise early, at the very conceptualisation of the paradigm. The broad school encompasses crimes against indigenous populations commissioned by corporate entities, usually in the form of land expropriation, bound up with the oppression or removal of the region's inhabitants and systematic exploitation of natural resources for commercial gain (Bernie and South, 2007; Nurse, 2015; Darlington, 2017; Dupuy, 2017). This form of green crime would be of equal interest to state-corporate crime scholars working within Marxian political economy (Pearce, 1976, Green and Ward, 2004) and zemiology theorists, seeking

to expose and limit unnecessary suffering of marginalised peoples (Tombs and Whyte, 2003; Hillyard, 2004). Both Marxian political scholars and zemiology theorists reflect emancipatory critical positions that are not shared by conservation criminologists, who favour the use of extensive research designs underpinned by rational choice explanatory models (Harre, 1979; Edwards and Levi, 2008: 375; Pires and Clarke, 2012; Petrossian and Clarke, 2014). Yet such substantive and conceptual diversity are bundled together within the capacious green / environmental / eco / conservationist criminological paradigm (White, 2008; Wyatt, 2013; Nurse, 2015). These problems sit alongside qualitative studies on the subject of farmers in the U.K breaching badger protection legislation through the daily professional practices of their profession (Endicott, 2011), as well as illegal logging in South America, the pollution of water ways in Central Asia and the online illicit global pet trade (Lavorgna, 2015). When read together the results can be confounding: an eclectic array of suspects commissioning crimes with a variety of tenuously linked characteristics and conditioning social structures. Liberally tossing together these formally connected phenomena ultimately manifests in a 'chaotic conception' (Sayer, 1992: 138). Chaotic conceptions and 'contentless-abstractions' are imprecise, under-determined conceptualisations, which due to such imprecision, offer little to say of the characteristic qualities of the entity being explained (Dannermark, 2002: 43-46). The term chaotic conception was first used by Marx (1859 [1973]), to suggest 'chaotic conceptions are abstractions [Vorstellung] that require further disaggregation into simpler and simpler concepts [Begriff]' (Trowler, 2015). Such conceptions serve to mask the 'rich totality of many determinations and relations' seen by Marx as the mechanisms by which the interests and hegemony of the dominant class actor are reproduced (Marx, 1973: 100).

Wildlife crime, that is deviance which includes criminalised offences and harms against non-human animals, is a sub-categorisation of deviance formally embedded within Green Criminology (Bernie and South, 2007; Walters, et al, 2013; Potter et al., 2016). This results in contentious situations where animal crime in Sweden would potentially be treated with the same conceptual apparatus as toxic waste dumping in Chechnya. Determining the substantial, internal social relations of differentiated offences against flora and fauna, or

isolating the crucial properties which define an entity from the formal, external ones, is therefore imperative to research (Jessop, 1982: 252; Sayer, 1998: 127; Edwards and Levi, 2008: 368 & 375; Edwards, 2016: 253). This thesis presents a model of untangling wildlife crime from the ontological thicket of green criminology, so more precise and meaningful research can be accomplished. Indeed, the megafauna, financial and cyber-crime of online ivory trading or the offence of urban dog fighting are centrally related to crimes against non-human species, but fall outside of the specificities of much environmental analytical frameworks (Smith, 2011). Concepts housed within parallel critical literatures, peripheral to Green Crime, may therefore be of more use to interrogating mundane fauna deviance (Edwards and Gill, 2002; Edwards and Hughes, 2005; Tombs, 2016). Much of the problem can therefore be highlighted by noting that the problems of 'Wildlife Crime' (the proper noun), is the concept of wildlife crime itself (Levi and Edwards, 2008).

### **2.3 Crimes against charismatic megafauna**

By ascribing disparate criminal phenomena to the same 'kitchen sink' categorical term and within the same ontological domains, the field risks becoming conflated. Structure and agency are collapsed together (Archer, 1995: 93), becoming so nebulous that accurate knowledge claims are challenging to make; is everything a green crime? Once the chaotic concept of wildlife crime is made more concise and isolated into its constituent offences our understandings can be pointed more sharply to concrete offences. Such offences relate directly to eco-centric crimes against non-human animals (Smith, 2004; Nurse, 2011; Wyatt, 2013: 67; Wyatt, 2016). However, once the problem of a chaotic conception of green crime is overcome, a potentially more problematic hurdle arises; the dominant perspective of wildlife crime from within Green Criminology is noticeably focused on generating research outputs on crimes against 'megafauna' (Warchol, 2004; Ayling, 2013). Wyatt states, "The 'ideal' wildlife victim is the critically endangered charismatic megafauna, like the tiger, whereas other less appealing animals, such as the pangolin, are less 'worthy' victims or in the case of plants and invertebrates, invisible altogether" (Wyatt, 2013: 59). Therefore, the

wildlife crime orthodoxy concentrates on crimes against 'exotic' and 'photogenic' species and 'iconic', 'charismatic', 'megafauna' (Zimmerman, 2003; Wyatt, 2013; Pires, 2014; Morreto and Lemieux, 2014).

Megafauna species are iconic in stature and charismatic in temperament. These include the Lion, Black Rhino, Sumatran Tiger, African Elephant, Grizzly Bear and Asiatic Leopards, as well as birds of paradise, exotic tropical fish and various rare reptilians, which are emblematic of the exotic, photogenic category of species. All of the above are striking in their splendour and signifiers of high financial worth and social status, once brought under anthropocentric ownership within particular geo-historical and cultural contexts. They are therefore highly desirable, which cyclically drives their scarcity levels in the wild and consequently increases their significant monetary value. These factors have a tendency to render high value megafauna as endangered species status. Given that one of the alternative monikers of Green Crime is Conservationist Criminology, it should not come as a surprise that the school's primary subject is species under critical threat. The consequence of systematically privileging the charismatic, photogenic and exotic, is the subordination of the common place, typical and 'mundane'. It can therefore be argued that the practice of constructing wildlife crime as deviance against mega-fauna, manifests in the (unconscious) production of a chaotic conception. An example of such behaviour in policy discourse could be the subordination mundane fauna by members of the British monarchy. HRH The Prince of Wales and his sons are advocates of and ambassadors for NGOs which protect iconic wildlife in Africa from poaching (Tusk, 2017). HRH Prince Charles makes recommendations on how commercial poaching of megafauna should be reduced (Russell, 2014). However, members of the British monarchy regularly take part in game sports, hunting mundane fauna themselves in the U.K. The Prince has also threatened the RSPCA with the removal of significant funding and its royal patronage if the organization continued to investigate instances of fox hunting, which is a British wildlife crime under the Hunting Act, 2004 (Mendick, 2016; Brookes, 2016). This elite pressure combined with pro-hunting forces within the Conservative party resulted in a Select Committee investigation into the RSPCA (Reed, 2015). The charity has since capitulated to these pressures by removing the previous CEO and promised

to be less 'political' (Press Association, 2016). It no longer investigates rural wildlife crimes. HRH Prince Charles also runs the charitable organisation, The Prince's Countryside Fund. The Fund is a charity which 'exists to improve the prospects of family farm businesses and the quality of rural life' (Countryside Fund, 2019). Not only can it be assumed that mundane fauna and its protection from harm is excluded from the above definition of 'rural life' but indeed, it is family farm businesses and other small to medium enterprises which are implicated by this research. It is perhaps here helpful to remind ourselves that a chaotic conception in its pure form seeks to mask ideological interests (Trowler, 2015).

The global illicit trade in derivatives from iconic and exotic fauna is regarded as the third, or sometimes second, most financially lucrative black-market model (Ayling, 2013). Powdered rhino horn supplied to the South East Asian pseudo-medicinal market (applied to treat migraines and inflammation) is worth more financially than its weight in gold and cocaine; little of which is conceptually relevant to problems outside of the megafauna iteration of wildlife crime. Interest, understanding and analysis of crimes against wildlife are therefore unevenly balanced toward offences occurring in Africa, Asia and South America, as opposed to North America, Western Europe or Britain, where unexotic, low-profile, mundane fauna make up the large proportion of native species (Challender and MacMillan, 2014). It can therefore be said that the primary focus of Green Criminology and conventional wildlife schools are problems with scant relations to U.K based natural environments and the species native to them. It is due to these marked disparities that literature has been sought from parallel fields of inquiry, external to Green Criminology and peripheral to orthodox wildlife crime.

## **2.4 Chaotic conceptions of wildlife crime, extensive strategies and radical interpretivists**

Chaotic Conceptions can be identified throughout the analytical interests of Green Criminology. This is because traditional scholars working with explanatory models of rational choice tend to uncritically reproduce policy constructions. These constructions are themselves the product of struggles between circuits of power and hastily cobbled together to advance policy agendas. An obvious example of such constructions is the one used above relating to the British monarchy. Another is policy entrepreneurs framing the problem of non-biodegradable plastics in oceans and trophy hunting of megafauna as a moral panic, for political gains, but refusing to alter policy to remedy the problems (Rawlinson, 2017; Laville, 2018).

It is argued that the intensive / extensive dichotomy research strategy is a more contemporary framework to explain approaches to data collection than the outdated qualitative / quantitative dichotomy (Hare, 1979; Sayer, 1992: 162). Of the formulation, Sayer suggests, 'in intensive research the primary questions concern how some causal process works out in a particular case or limited number of cases. Extensive research, which is more common, is concerned with discovering some of the common properties and general patterns' (Sayer, 1992: 163). Edwards and Levi argue the intensive mode is the most advantageous for research designs working with a realist aetiology, such as this, for getting at the substantial structural relations of connection (Edwards and Levi, 2008: 368). Wildlife criminologists who tend to produce the errors associated with the extensive paradigm use rational choice models to explain offending (Pires and Clarke, 2012; Sidebottom, 2013; Moreto and Lemieux, 2014). These approaches produce mono-causal accounts of phenomena, or 'bad abstractions', and potentially draw attention to formal and external relations, which are of little significance to the problem that is most in need of explication and response. Attempts at script analysis by scholars adhering to this approach have failed, due to imprecise assignments of diverse social relations (Moreto and Clarke, 2013). Rational choice script models pepper the existing literature of wildlife criminology (Lavorgna, 2014; Viollaz, 2018). This thesis contends that these approaches problematically reproduce the policy constructions designated as

'wildlife crimes' by dominant narratives, and that they are unequipped to critique these crimes, due to an ontology that omits distal features embedded in political economy. Instead those approaches only register the situational, empirical features of problems and do not adequately account for their conditions of existence.

Equally pernicious to accounts of the real causes of mundane fauna crime are accounts based in radical interpretivist positions. Elsewhere radical interpretivist positions are termed 'idealist' and 'reflectivist', because of their rejection of the material world or their understanding of it as a discursive social construction (Sayer, 2000: 32; Kurki, 2008: 124; Elder-Vass, 2012). While these models do not deploy problematic causal analysis like the extensive empiricist school, they tend to produce chaotic conceptions or one-sided accounts of wildlife crime. This is due to their focus on situated activity, shared discourse and inter-subjectivity, or 'intra-discursive relations in abstraction from reference and practice' (Sayer, 2000: 32). Katz (1988: 139, 312) is perhaps most notorious for excluding structure in favour of 'the lived sensuality' and the 'lived experience of crime' within wider criminology (Ferrell, 1992). Consequently, many seminal and insightful mundane fauna outputs remain at the level of descriptive accounts, which obviate aetiology and dismiss a significant portion of social conditions (McElwee et al, 2011; Sommerville et al, 2015). A relational ontology that is wedded to an objective reality (Archer, 1995; Sayer, 2000: 47-48) seeks to avoid this unfortunate epistemic relativism and downward conflationism, because indeed not everything is situational, sensory and discursive.

## **2.5 Countering megafauna bias: Existing mundane fauna crime literature**

Deviance against low-profile, common place species is vigorously interrogated by authors with sophisticated approaches and crucial findings (Smith, 2004; Eliason, 2008; Nurse, 2011; Jones and Phipps, 2012; Wyatt, 2016). However, it rarely features in the environmental crime conversation or in the authoritative journals of the academy. Authors have gone as far as to document

the difficulties they have faced in receiving funding, publishing and recognition for career spanning endeavours (Smith and McElwee, 2015). Such low-profile documents of effort have gone as little noticed by the academy as the fauna they seek to highlight, especially when contrasted with the eye-catching concepts deployed by the conservationist orthodoxy, which are as exotic as the species they seek to explain (see the 'CARVED' model in Moreto and Lemieux, 2014). The literature which constitutes crimes against everyday species, such as sheep, badger and deer, is thinly spread across disparate scholarly disciplines.

Within the perspective currently being reviewed, the necessary relations that constitute species as being warranted for study are their abundance (not scarcity), typicality, commonality or mundanity (not 'exoticism' or 'attractiveness'), their docile or timid temperament (not 'charismatic' or 'iconic') and relatively low financial value (not worth their weight in gold). These internal relations do not form an eye-catching slogan or memorable soundbite, such as the 'CRAVED' idea, because a critical social science conceptual framework seeking to explain and reduce wildlife crime is not required to do so.

The commissioning of offences against mundane fauna and their organisational characteristics become exposed and vulnerable to explanation through the realist ontology that is currently being presented. By understanding badger baiting in Wales using the same capacious conceptual treatment as exotic parrot theft in Bolivia, through an over-arching 'wildlife crime', offers little to say about the scripted dynamics of the disparate crimes. Understanding badger baiting in Wales, hare coursing in Norfolk and dog fighting in Liverpool as sharing a characteristic of urban offenders travelling to rural regions to engage in expressive forms of criminality, centred toward gaining sadistic gratification, is more helpful. Offences such as these can be understood further when noting that they are being enabled by contingently related social conditions of an enforcement vacuum, created by cuts to the financial budgets of rural police forces (Edwards, 2016). The poaching of deer from desolate moorland, fish from unguarded waterways and the theft of livestock from isolated fields have all been discussed within green, wildlife, and rural crime perspectives (Wyatt, 2013; Somerville, et al, 2015; South and Brisman, 2018). This amalgam mistreats

deviance; sheep, like dogs in the previous example, are not wildlife, they are livestock, and deemed as private property from a criminal justice and legal classification, as opposed to domestic animals. Understanding sheep rustling as a 'wildlife crime' or 'poaching' and dog fighting as a 'green crime' is therefore imprecise and reflects the capaciousness of the concepts used; they are better understood under the mundane fauna concept. Similarly, it is unhelpful to bundle together fisheries poaching as a rural crime in conjunction with all other offending in rural regions: from domestic violence, to farm machinery theft and cannabis cultivation in disused barns. Explaining the illegal taking of deer in the U.K with the same conceptual apparatus that green criminologists use to explain deforestation in Latin America is a further example of deploying tools designed to tackle one job, for a markedly different task.

## **2.6 Literature gaps: Empirical and analytical original contributions**

Now that it has been argued that the concept of mundane fauna crime is a more precise analytical framework than the capacious 'wildlife crime' concept, this section identifies gaps in the existing literature on mundane fauna crime and how a realist social relations approach can contribute. The concepts of mundane fauna and illegal taking of deer are introduced properly and fleshed out with empirical findings, in chapter 4, the first findings chapter. Wyatt (2016) notes that no scholarly knowledge of British deer poaching exists, echoing the position of the Food Standards Agency (FSA) (2016). Both literatures refer to the offending as being ancillary to the legitimate venison industry and as a black-market shadow economy, with a significant dearth of data, as the FSA states: "This could also be an ancillary activity by individuals involved in legitimate business, who use their connections and knowledge for dishonest financial gain (FSA, 2016: 46). The empirical contribution of this research can therefore be recognised as providing insight into a core priority British wildlife crime with no pre-existing literature (NWCU, 2019).

The existing literature of utility to furthering an understanding of how mundane fauna are taken from the wild by motivated offenders applies Routine

Activity Theory (RAT) (Felson and Cohen 1979; Wellsmith, 2011: 143-144; Elison, 2012). Elison's work in particular is crucial for understanding offending against low-profile species, such as elk and wild sheep, native to the rural wilderness of Montana in the USA. These animals, and their habitats share notable commonalities with deer native to the rural West Country (Elison, 2012: 74). Many other writers have applied RAT to the taking of iconic mega fauna. However, as a realist researcher, focusing only on the situational dimensions of offending is insufficient to explanations. A solution to this problem was provided by Social Relations Theory, which complements RAT and implies explaining the crime commissioning process with realist crime scripts (Edwards and Levi, 2008; Edwards, 2016) This move is vital for the elucidation of a variety of distal contexts which coincide, coexist and condition the emergence of the offending process.

As the data collection progressed and more was learned of the specific generative mechanisms of offending and their conditions of existence, it was necessary to refine explanatory concepts and theories necessary to the thesis, in an adaptive iterative model (Layder, 1998). Once it emerged that 'poaching' in the secluded South West was mostly a by-product of the far more problematic 'illegal taking of deer' (introduced in Chapter 4), and internally related to localised grey game enterprise structures, it was necessary to consult alternative literatures. The following literatures assisted in the formation of new guiding concepts used in this thesis to explain the organisational characteristics of the crime commissioning process. Those literatures are introduced below and are deployed in the chapters. They facilitated the original analytical contributions this thesis makes to the field, by noting that the mundane fauna crime of the illegal taking of deer is an ancillary illicit activity of routinised rural enterprise. The adaptive literatures facilitated the interrogation of unexpected standing conditions which enable motivated offenders and constrain capable guardians, often as unintended consequences. Realism also enabled a material analysis of the proximal situational standing conditions, but most crucially, analysis of remote conditions of existence.

## 2.7 Adaptation literature

During field work with expert practitioners of mundane fauna crime prevention, the data being collected implied an exploration of other existing theories in order to adapt concepts and make sense of the emergent data (Layder, 1998: 37). As expressed in the methodology chapter, which follows this one, the literatures in the present section were consulted iteratively, during the research and analysis process. The following theories and concepts reappear throughout the thesis, in the findings analysis chapters (4-7), to explain the empirical phenomena displayed in the scripts and their conditions of existence. They will be concisely introduced in this section before elaborated on and deployed later in the thesis.

### Enterprise crime

As will be revealed in the opening findings chapter (Chapter four), a crucial substantial relation of connection was that motivated offenders utilised their proximity to the natural environment and each other to assist the commissioning of offending and, not only this, but that they are enabled by the material relations of being embedded in what can be referred to as countryside careers. Examples of such occupations are gamekeepers, deerstalkers and farmhands, and those who use their legitimate roles as meat outlet entrepreneurs for ancillary skulduggery. The schema of enterprise criminality was critical in positioning offenders as 'grey market' deviants and not external acquisitive marauders, as is often the assumed case in rural crime. Enterprise crime writers note that legitimate and lawful business structures can enable and conceal illicit enterprise activity (Edwards and Gill, 2002; Lord et al, 2017; Bellotti, et al, 2018). The enterprise theory literature complemented the existing rural crime literature which maintains that farmers and countryside custodians are not only the victims of criminality, but also the perpetrators (Smith, 2004; McElwee et al, 2011; Enticott, 2011; Smith et al, 2013; Somerville et al, 2015). This model of offending can be recognised as a more contemporary model of offending than the previous accepted terms in British wildlife crime studies and

one which coheres with the Food Standard Agency's assumption that food crimes within wild game meat industry are ancillary activities to legitimate practices: 'This type of fraud may involve multiple participants including brokers, complicit haulage or waste contractors and cold storage providers. This could also be an ancillary activity by individuals involved in legitimate business, who use their connections and knowledge for dishonest financial gain' (FSA, 2016: 46).

Nurse (2011: 46), highlights that rural workers, such as the ones featured in this research, commit 'economic crimes', in the form of killing protected birds of prey. Offenders do this because the birds of prey pose a threat to the game birds on shooting estates, as apex predators, which wealthy participants pay to shoot for so-called sport. The problem persists to this day, despite it being quasi-decriminalised under the contemporaneous Right-leaning Conservative government (Barkham, 2019a). The concepts offered in this thesis supersede the now outdated 'economic' model, which can be better understood as a strategy of deviant revenue protection. The grey game enterprise activities revealed in this research are not 'revenue protection' crimes, but 'revenue generating' crimes, and are ancillary in their form to legitimate rural business. This finding can be recognised as current, because much of the raptor persecution which Nurse (2011) refers to as an economic crime, has ultimately been made lawful, under culling licences granted since 2016, by Natural England (Carrington et al, 2019). This in itself highlights contemporary political shifts which are granting more powers to enterprise, at the subordination of eco-centric imperatives, such as ensuring the protection of endangered domestic wildlife.

The enterprise crime framework was deemed a more appropriate apparatus for explaining deviance of this nature than the more renown criminological traditions of corporate or white-collar crime (e.g, Sutherland, 1983; Slapper and Tombs, 1999; Tombs and Whyte, 2015). While it is entirely accepted that path-shifting gains have been made in corporate crime texts to highlight how legitimate entrepreneurial activity can provide direct access to illicit opportunities, and especially in recent food fraud literature (Lord et al, 2017c), following enterprise authors, the corporate crime template was overall deemed unsatisfactory (Edwards and Gill, 2002). Enterprise literature was

deemed more appropriate for the following three key reasons: Enterprise crime authors note that archetypal conceptions of 'crimes of the powerful' found within key white-collar texts tend to be unhelpfully capacious in their all-encompassing or 'elastic' conceptual boundaries (Edwards and Gill, 2002: 203-204): a framework which has a utility in explaining illicit acts associated with 'corporations', such as 'bank embezzlement, insider trading' (ibid), online or cybercrimes and so-called sub-prime mortgage trading, such as that which precipitated the global financial crash of 2008, is less appropriate for understanding the unrelated, or externally and formally related activities discussed in this thesis: small to medium supply chain actors, or 'one man and his dog' operations in isolated rural environs – blue collar, or even 'green' and 'camouflage' collar criminals, rather than white-collar.

This conceptual and ontological issue leads to the second reason why enterprise theory was used instead of corporate crime. Enterprise theorists recognise that the proto-definition of the corporate criminal offered by Sutherland (1983) is again imprecise for explaining all forms of industry related misconduct: 'persons of respectability and high social status' are deemed the most appropriate agents in the commissioning of corporate crimes (Edwards and Gill, 2002: 203). The suspects analysed throughout this thesis are characterised by muddy wellington boots, bloody overalls and working nights in fields and on desolate hillsides, or in butchers, chopping plants and game larders. They are not enclosed in Wall Street skyscrapers and conducting deals in expensive suits or in smoky back rooms; a factor which has led seminal food crime analysis to approach corporate crime frameworks cautiously (Croall, 2007: 222).

The final factor in the decision to incorporate enterprise theory to explain 'grey game enterprise activity' in the secluded south west, rather than white collar texts, is once again ontological and analytical. Edwards and Gill (2002: 204) note that, *'in switching the focus of research from an exclusive preoccupation with the attributes of organised criminality to the relationships of exchange between "traders" in "dirty" or "grey" markets it is possible to identify a continuum of licit – illicit markets and corresponding interventions directed at their regulation'*. Therefore, this nuanced interpretation of deviance was favoured because it

cohered more with the subtle and ancillary acts of rural and meat industry insiders who interact with external and potentially lawful transit, food business, brokerage and retail companies. Much of the criminal acts contained in the thesis appear to be normalised within rural and local meat enterprise cultures and ultimately accepted by the variety of participants. The overall justification for adopting and the subtler enterprise approach, rather than firmer white-collar iteration, is the frameworks capabilities for integrating and recognising the interfaces between licit and illicit markets and activities. The white-collar framework has been successfully deployed to analyse illicit supply chain activity in important work on food fraud, in both the past and present (Hartung, 1950; Lord et al, 2017c). However, the nuanced internal dynamics of my own research problem are incompatible with the more strident concepts found within corporate crimes toolkit, for example, ones used to discuss infamous avoidable workplace tragedies such as the Bhopal disaster (Punch, 1996: 22).

### Defensible space

To understand the physical space that deer were taken from and where grey game illicit venison production enterprise is located, a new concept was deemed necessary. To get at the material conditions which suitable victims converge with motivated offenders in an absence of capable guardianship, the theory of defensible space was transposed from urban sensibilities and into the rural frontier (Newman, 1972). Newman's Defensible Space concept submits that occupiers of a territory, such as inhabitants of a neighbourhood, village or town, will guard it from harm and protect it from external threats. However, as revealed in the findings, in chapter 4, the opposite is exhibited by routine enterprise offenders in the secluded South West. The theory was thus transposed and inverted. This move was enabled by my ethnographic embeddedness in the region. Many local observers stated that the locals plundered from their own territory and abused their positions as countryside custodians. The original format was also amenable to the inversion because it states that physical sites, such as housing estates, benefit from being spaces which are neither 'confused' nor 'complex', to enable simple guardianship (Newman, 1972). This physicality

is once again absent on secluded areas such as Exmoor, which is a maze of overlapping complex land usage sites with different owners.

### Signal crimes

It also became apparent that the illegal taking of deer and related mundane fauna criminality created no 'signal event' (Innes, 2004). Innes suggests that crimes which are perceived as threats by collectives create signals which cause others to rally round and be vigilant of such events (Innes, 2004: 336, 352). This does not happen for deer poaching in the South West, which is a normalised and accepted event, due to countryside traditions such as so-called blood sports, culling and farming in general. No perceived threat to the local human inhabitants emerges from the illegal shooting of the deer population in the region. Thus, this grand ideational concept is used throughout to emphasise the systematic subordination of eco-centric imperatives to anthropocentric concerns. It co-produces the explanation for why capable guards are absent throughout the thesis and is introduced in chapter four.

### Regulatory accommodation and capture

To further explain why guardians were incapable or incapacitated, the governance and regulation concepts of regulatory accommodation and capture were deployed (Edwards and Gill, 2002). Edwards and Gill suggest that guardians are incapacitated when they become too close to, or connected with, the businesses they are entrusted with regulating. Instead it is argued that they collude with or 'accommodate' suspects. The authors argue regulatory 'capture' occurs when offenders and regulators share ideologies, personnel, risks and rewards and ensures non-enforcement of the offender by the regulator (Edwards and Gill, 2002: 213). This literature, which is introduced in chapter five and is used again in chapter six, was vital in explaining how informal guardians (such as countryside custodians in the form of landowners) and formal regulatory experts (Food Standards Association vets) both seemingly connive with

offenders through accommodating them, or were incapacitated by them, respectively.

### Rural structural abandonment

Following on from the above adaptive literature, which was necessarily consulted in an iterative movement, the abandonment political economic theory was vital in explaining the generative conditions of austerity programs. Structural abandonment theory suggests that deprived regions with less productive capacity are overlooked by inward investment of private companies and public expenditure budgets allocated by the state. Instead funds and employment are focused on more productive (invariably urban) centres (Edwards and Hughes, 2012: 451). Given the levels of relative deprivation in the deep South West, which are noted in the penultimate contingent conditions chapter, this literature was crucial in discussing how austerity was constraining the capacities of expert guardians and thus causing their absence. The concept is adopted throughout chapter seven (and specifically 7.3b), to explain one of the many contingent conditions of the script process.

## **2.8 Conclusion**

This chapter has argued that the dominant policy constructions of 'wildlife crime' are too broad and imprecise to be of any analytical use in understanding the eclectic array of discrete real problems encompassed by the term. It noted that the nebulous construct has been uncritically reproduced in the social sciences, as a chaotic conception, predominantly by the rational choice school. Such conceptions have habitually deployed the concept of wildlife crime to signify a variety of tenuously related crimes, as diverse as trafficking exotic parrots in South America, badger baiting in mid Wales and the pseudo-medicinal market for iconic animal derivatives in South East Asia. The chapter argued that the capaciousness of the dominant construction frustrates knowledge claims on

crimes against low-profile, or mundane fauna, and submitted an alternative, relational account of how the paradigm could be treated. The treatment that has been argued for acknowledges both the substantial relations which are internal to the problem, as well as the contingent conditions which activate or constrain mechanisms. It thus advances beyond types of realism that are found wanting and rational choice model crime scripts. The chapter introduced a richer literature from cognisant traditions peripheral to environmental crime to support the retreatment in an adaptive approach. The realignment argued for has the aim of rescuing the concept from unnecessary ontological complexity, due to the heterogeneity of crimes being interrogated under the singular conceptual treatment of 'wildlife crime'. Wildlife crime, poaching and black-markets terminology can also be rejuvenated and replaced with the concepts of mundane fauna crime, the illegal taking of deer and grey game enterprise, which are more accurate concepts for explaining the offending researched in this thesis. The ontological and epistemological implications of this chapter suggest that mundane fauna crimes in rural regions are a co-determined product generated by favourable conditions conducive to triggering the routine activity structure. This thesis therefore seeks to explain what the organisational characteristics of the illegal taking of deer and the illicit processing of venison are, and their standing conditions of existence, that trigger or constrain them. The following chapter discusses the methodology used to elucidate the necessary and contingent social relations which constitute those mechanisms and conditions.



# Chapter Three

## Methodology

### 3.1 Introduction

The critique of the existing literatures presented in the previous chapter implied a realist social relations crime script synthesis to guide empirical analysis. Offending is the emergent tendency of motivated offenders accessing suitable targets in an isolated environment notable for its absence of capable guardianship. These mechanisms are activated under the standing conditions of the proximal settings notable for their seclusion and inhospitableness to human habitation and the distal, remote conditions of austerity programmes, harmful legislative policies and divestment from rural regions. This theoretical approach is appropriate, it shall be argued in this chapter, for its compatibility with the critical realist philosophy of social science which I adopt as an under-labourer for the thesis. I deemed critical realism the most suitable meta-theoretical framework for facilitating data collection, due to the naturalism of the subject matter; deer and their depredation are not socially constructed discourses. I also seek to make an analytical contribution to forwarding critical realism in applied research. For these reasons I present the findings as realist social relations crime scripts due to the framework's compatibility with the critical realism. To frame this broad position, I therefore choose an intensive research strategy of qualitative methods, because that framework enables elucidation of the necessary and contingent relations which generate the problematic (Sayer, 1992: 80-100). The data collection procedures used from within the intensive strategy

to guide the social relations position are semi-structured interviews, observations and documentary analysis, all of which are ultimately construed as elements of the ethnographer's toolkit. Such conversations with a purpose encompass an emersion into the conditions of existence of the crime commissioning process. They facilitated my ability to elucidate the internal and contingent relations of the research problem. It also enabled me to separate units of analysis from their contexts, which was important for this study. The construction of the concept of the 'indefensible rural wilderness' and 'signal-less' events, to explain the material and ideational contexts emphasises this, respectively. This strategy therefore implied a case study research design. My mode of analysis was an adaptive theory approach (Layder, 1998). This approach is the most compatible mode with critical realist philosophy of social science and was also implied due to the paucity of existing guiding literature on mundane fauna cases on British soil. I therefore generated new concepts as I learned more about the problem, initially from local media and then in the field with the experts. I then swiftly consulted contiguous or compatible criminological theory to explain the respondents' interpretations of events. I will now elaborate this in the following sections. The next section discusses my chosen ontological and epistemological frameworks, these are critical realist in perspective. Following from there I discuss my chosen research strategy, which is intensive in its nature. After which I discuss how I used adaptive theory to guide my analysis and then script frameworks are introduced, as way of explicating the analysis. A case study design is then introduced as the most appropriate way of qualitatively capturing the required social relations and conditions from within the rural context. An ethnographic toolkit and its methods are then argued as the best procedure for

digging up the data from the Devonshire soil. After which a probe sampling strategy is alighted upon, before ethical considerations are discussed.

### **3.2 Ontology and epistemology**

Deploying a critical realist (CR) meta-theory of action as the underlabourer for my research was implied by the research problem for a number of reasons. It was required as the engine for the crime scripts that I used to guide my research process, because CR portrays reality as being the product of an assemblage of mechanisms which have the potential to combine in a variety of configurations (Sayer, 2000: 1-20; Edwards and Levi, 2008). This ontological commitment facilitated my separation of offender agency, or the discrete but interlinked stages of the crime commissioning process (Chapters 5 & 6), with the (separate but co-determining) proximal and distal structural conditions (Chapters 4 & 7). In conjunction with the analytical necessity of using CR, its ontological commitment to a realist interpretation of reality was significant for the research. Understanding reality as objective and mind-independent was important to the thesis. This is because alternative post-positivist ontologies, such as the interpretivist social constructionism or post-structuralism deny material existence and reduce phenomena to rules, discourses and inter-subjectivity (Archer, 1995; Kurki, 2008; Elder-Vass, 2012). It was imperative from the outset of the research that I was conscientious to the natural world being explored. Therefore, CR's roots in a (critical) naturalist ontology were the most fitting framework. CR's epistemic relativism is how it avoids making the crude aetiological ascriptions of positivist-empiricists or reducing causal analysis

to a single determination. This lifts it above naive realism and allows us to note that although causation is emergent from the material world, all analysis is contingent, provisional and always open to advancement or elaboration once new data is available (Bhaskar, 1998). The CR epistemology accepts the existence of transfactual or 'unobservable' entities. Positivist based rational choice crime scripts ultimately must omit these phenomena, if they are playing by the rules, due to relying solely on data derived from sensory perception. Other meta-theoretical approaches therefore cannot provide an adequate account of social, political and economic contexts. This was important due to my commitment to an ontology which took in political economy and socio-cultural conditions which enable or constrain offenders and guardians.

### **3.3 Research strategy**

#### **3.3a Intensive strategy**

In line with my commitment to a realist social relations script and not merely the rational choice variety, my research strategy was based around an intensive model (Hare, 1979; Archer, 1995; Dannemark, 2002: 150; Edwards and Levi, 2008: 375). An intensive strategy is contrasted much as the qualitative / quantitative research models generally are, but the distinction is not synonymous. Sayer (1992: 163) suggests; 'In intensive research the primary questions concern how some causal process works out in a particular case or limited number of cases. Extensive research, which is more common, is concerned with discovering some of the common properties and general patterns'. Edwards and Levi (2008: 368) contend that extensive models describe

formal relations of similarity, which are not defining of an entity and therefore not causally generative to its existence. While intensive models direct focus toward 'substantial relations of connection, both necessary and contingent, involving causal actors'. This strategy is therefore a necessary component of social relations routine activity theory synthesis explication (Edwards and Levi, 2008: 365-368).

I chose to work within an intensive research strategy because extensive research on patterns of social relations have little import on the causes of these relations, hence the need for intensive research into substantive relations of connection rather than extensive research into formal relations of similarity and difference. Script analysis provides a means of clarifying the substantive relations (the causal mechanisms) producing a particular problem, in this case, the illegal taking of deer, in specific contexts, which here are located in the secluded South West. This is based on the presumption that the same causal mechanisms may configure differently in other contexts. Deer being poached in Scotland in the 1800s is a different criminological entity to deer being illegally taken in Devon in 2015-2019. This was important for my approach to the research because 'context' was exceptionally important and causally efficacious; there are Red Deer in the Scottish Highlands, but there isn't an abundant seasonal tourist trade like there is in the South West, nor are there multiple game handling establishments (or meat cutting and distribution facilities) and butchers renowned for selling local, fresh venison. Nor are the deer as healthy and meaty in the highlands, due to the more verdant grazing pastures in the South West, where the climate is less harsh and the terrain more hospitable.

The CR intensive strategy which I deemed optimum for this research is akin to Pawson and Tilley's (1997) 'scientific realist' study of the 'Context, Mechanism, Outcome Configurations' (CMOCs) of crime reduction. However, following Sayer (2000: 21), I sought to push past the ontological and epistemological limitations of their approach. The concept of context employed by Pawson and Tilley is too restrictive, being preoccupied with proximal causes, such as the situational circumstances in which deer are removed from a moorland, rather than distal causes, such as the market supply and demand for meat. This is also important for understanding the conditions of possibility of the problem in question. This approach would provide a more adequate explanation of it and one that can acknowledge other possibilities for intervention beyond the situation circumstances of crime. A social relations format enabled me to suggest that austerity programmes and the 'abandonment' of rural and wildlife policing is a major enabling standing condition of offending, as is environmental legislation itself. I also sought to use an intensive strategy because Tilley and Pawson's search for 'regularities' confuses realist causal analysis of the context-specific 'unity of diverse determinations' with Hume's 'successionist' concept of causation, as the observation of regularities across contexts (Sayer, 2000: 23-4).

### **3.3b Adaptive theory**

My approach to the research and analysis which is commensurate with my adopted CR philosophy and intensive strategy is based in adaptive theory (Layder, 1998). My fieldwork analysis was guided by theory, but not restricted to empiricist epistemological observations. Adaptive theory was therefore more

appropriate than alternatives, such as grounded theory, which bracket any data not derived from empiricism and therefore exclude political-economic standing conditions (Layder, 1998: 150). The adaptive approach is an iterative process, oscillating between extant guiding concepts, and emerging data. Both dialectically inform one another. The main theory which guided my data collection and analysis was the realist social relations script schema. From this middle ground positionality, I was able to return to appropriate criminological theory as and when significant new findings emerged. Significant ones, as discussed in the last chapter, were signals crime, enterprise crime and structural abandonment, as well as regulatory capture. These concepts replaced earlier ones which were based on initial readings and included grey literature accounts from the press, most of which constructed 'poachers' as acquisitive, opportunist, marauding 'rural criminals' with no links to meat processing and markets. All of these concepts involve socio-economic mechanisms and dispositions, so are more commensurate with a social relations depth ontology (Kurki, 2008).

The adaptive approach facilitated my ability to modify propositions with incoming data and seek out concepts with more adequate explanatory power. In line with the principles of adaptive theory, my initial proposition of, *'wildlife crimes are the emergent tendency of the combining of motivated offenders with suitable targets in a physical space notable for its absence of capable guardians'*, was modified as I learned more in the field and read more. This led to the inclusion of the structural enabling conditions of distal contexts, and not purely situational proximal ones, which ordinary routine activity theory omits. The very concept of 'wildlife crime' was also dismissed as problematic, due to its status as a chaotic concept, ontologically constructed of a tenuous array of disparate real

problems: badger baiting, salmon poaching, rare bird egg theft. Realist social relations theory enabled these readings of emerging data and my ability to formulate new explanatory concepts, by inverting or rejuvenating 'en-vogue' criminology concepts which have previously been used to describe populous urban settings (rather than sparse rural ones). The concept of 'mundane fauna' crime was constructed in response to the dominant iteration of wildlife crime research which concerns 'charismatic megafauna'. 'Signal-less offending events' was required to capture how no concern or fear emerges in the rural regions when animals are killed, due to its historical normalisation and the lack of perceived threat to humans (Innes, 2004). The 'indefensible rural wilderness' concept inverted the materialist theoretical concept of defensible space, as discussed in the previous literature review (Newman, 1972).

My adaptive approach to data analysis and theory building began immediately, having entered the field within two months of starting the candidature. The dialectical or iterative approach advanced by Layder (1998) and the intensive research strategy can be interpreted as a subtle blend of induction and retroduction analytical frameworks: analysing agency and structure, and their interactions, as they arise in the data collection process, and adapting, transposing or creating new theories to explain the data. For this reasoning, based in intensive qualitative processes, I deemed software, such as NVivo to be inappropriate for the coding procedure. While it can be argued that dense, micro-track model crime scripts might benefit from such coding software, I felt that the technology was not compatible with adaptive theory, CR analysis and the social relations crime scripts approach. Not only this, but my chosen sampling procedure of probe sampling meant that I did not have an

unmanageable amount of data to handle – quality over quantity. Therefore, manually coding under 40 interviews, over a two-year period was not a taxing undertaking. I was also aware of some of the criticisms levelled at relying on coding software in rich qualitative research (Barry, 1998).

My chosen approach of manual coding was relatively straight forward, because when asking respondents what might the chain of events look like, in the crime commissioning process: from gate to plate, a relatively temporally linear sequence of actions were relayed to me, time and time again. When strategies for entering plentifully deer habitats were revealed to me, by experts, this data was assigned to the beginning of the script. The shooting and taking of deer followed, as did exiting the field and the onward transit to illicit processing locations. Interviews were transcribed verbatim and I lived with the transcriptions for long periods: sticking them to my bedroom walls, scribbling notes, surrounded in post-it notes and highlighters, like a deleted scene from the American police drama, *The Wire*.

Coding took place in Microsoft Word. I highlighted pertinent quotes in transcriptions that were expressed by the majority of the respondents during interviews and categorised those quotes into salient themes. If three or more experts relayed a particular scene to me (such as retrievers of carcasses and deer shooters traveling in separate vehicles after the kill), I took it to be a turn of the script and copy and pasted that act, strategy, or setting/condition into its own Word document. My approach to manual coding in this sense can be likened to that of DeNardo and Levers (2002: 2-3). However, as expressed above, much of the heavy lifting regarding categorising themes and apportioning them in the

analysis was aided by the realist script framework, which naturally apportioned action and the context it is situated in (or enabled or constrained by).

### **3.3c Realist social relations script framework**

By adopting these research strategies and theories, this thesis seeks to contribute to the advancement of realist social relations crime script analysis (Edwards, 2016). Script analyses can be employed both within a successionist theory of causation, generally by the rational choice school, observing the regularity in the ways in which a type of crime, such as poaching, is organised irrespective of context. This work deploys a social relations script, which within a realist theory of causation seeks an understanding of how context-dependent the organisation of poaching is, how, in other words, 'the' script is either adapted to certain contexts or subverted by these contexts. Contexts in which the degree of investment in anti-poaching strategies varies, including efforts to reduce market demand for poached goods. Due to the importance of the variety of proximal and distal contextual conditions shaping the commissioning process that were investigated, the realist script schema is the most appropriate.

Script analysis is a framework for exposing and critiquing interrelated activities that constitute crime commissioning processes. It is a model which enables the possibility for understanding the organisation of serious crimes by breaking them down into their constituent parts in order to then understand how these parts are assembled and, for the purposes of crime reduction, how vulnerable each of these parts is to disruption. Script analysis is therefore a means of building explanations about the organisation of crimes and how they

might, therefore, be disorganised. In these terms script analysis is highly compatible with the critical realist ontological and epistemological framework being advocated. First by abstracting the partial aspects, possible causal mechanisms, of an event (the commissioning of a certain crime) 'in-thought' as a means of then understanding how these mechanisms come together in any one 'real-concrete' instance. Using script analysis within this method of articulation can assist in retaining the very useful and powerful concept of 'the script' without having to accept all the rational choice baggage with which this approach has become associated as a consequence of early script analyses (e.g. Cornish and Clarke, 1987).

Specifically, the various causal mechanisms in the script might include rational calculations such as deer poaching for profit —though this isn't a necessity —and may include other mechanisms, such as cultural rituals like Halal butchery, Hare coursing in Traveller communities or extreme 'psycho poaching', an 'irrational' or expressive undertaking (Hayward and Young, 2004). However, the analysis would not reduce a causal explanation to any one of these discrete mechanisms, due to the critical realist concepts of tendencies and emergence (Sayer, 2000: 12-17). Rather, a realist approach would explain the commissioning of crime as an emergent property of how the multiple and various causal mechanisms identified in the abstract come together in any one instance. Insofar as this coming together is not utterly random and unique but follows a pattern observed in several cases, we can talk of the existence of a script and one that is common because it is copied. We might even say that commissioning crimes is 'script-like' because it is 'isomorphic': perpetrators learn from one another about 'what works' in crime commissioning and its 'key elements of

effective practice'. Such learning isn't then, the sole preserve of crime preventers, but also of commissioners. Crime script analysis can be further enhanced through its use within a realist philosophy of explanation that alerts us to the conditions in which crimes can be commissioned over and above the capacity (or irrelevance) of perpetrators engaging in cost/benefit calculations.

Script analysis has since been adopted and robustly deployed in criminology (Levi & Maguire, 2004). In an early utilisation of the approach, Cornish submitted 'Crime scripts are...simply a way of highlighting the procedural aspects of crimes' (Cornish, 1994: 175). Scripts on the illegal market in endangered species have also been unsuccessfully attempted by leading authors on mega fauna wildlife crimes (Moreto and Clarke, 2014). The authors work within the confines of the rational choice approach which potentially hinders the composition of the scripts, but potentially also fail because of the chaotic conception of wildlife crimes being tackled; multiple species from a variety of countries (and continents) being predated by a diverse array of offenders for multiple end goals. It is generally accepted that script analysis has the most utility when the boundaries of the acts are well defined (Edwards, 2016). I thus use a script approach of the realist variety (Edwards, 2016; Lord, 2017b). To avoid such chaotic conceptions and the unwanted inclusion of formal relations of similarity confusing real problems, I chose to design my research using a case study.

### **3.4 Case study research design**

The construction of realist social relations crime scripts with an intensive research strategy interested in substantial necessary and contingent relations, required a research design capable of elucidating the specificities of a contextually bounded case. Edwards and Levi (2008: 379) posit the importance of deploying qualitative data-gathering methods from within case study designs to drill down into substantial relations of real problems. It is therefore contended the case study design is the most appropriate for generating ‘a qualitative understanding of the contingencies that form the elements of the ‘crime triangle’ (Edwards and Levi, 2008: 368). Alternative research designs, such as longitudinal surveys are avoided by realists due to their inability to capture the necessary and contingent conditions discovered from intensive strategies. Such research designs would therefore produce suboptimal wildlife crime scripts with potentially misleading acts and actors. Wyatt’s (2016) survey approach toward researching deer poaching proved less than fruitful, with under 25% of respondents choosing to participate. Given my intensive approach toward specific actors within scenes or conditions and the evolving nature of the offending, the case study approach is appropriate. As Yin (2003: 13) states, ‘a case study is an empirical enquiry that investigates a contemporary phenomenon within its real-life context’.

Bryne suggests that cases studies are the most appropriate research designs for when a community, family, event or organisation is being explored (Bryne, 2004: 48-49). I have argued that rural communities—in which hunting, and poaching is a tradition—poaching events, and the routine activity crime triangle are all of interest to my study, as is the organisational aspects of rural

employments. While many case studies on poaching mega and mundane fauna in the United States and elsewhere exist, there is a paucity of UK cases. This study can therefore be seen as an exploratory or 'revelatory' study type (Yin, 2003: 42; Bryne, 2004: 51). Bryne further contends that case designs are most appropriate when specific locations and settings are submitted to an intensive examination (Bryne, 2004: 49). While the secluded South West of England is not the case itself, it is the geographical location where the form of enterprise criminality captured in the thesis is most prominent. The 'settings' can be imagined as the conditions the drama plays out amongst, and the acts and scenes as new turns of the commissioning process (Edwards, 2016). The compatibility of the script framework with the case study design also makes it the most appropriate model of data collection. The units of analysis implied by the study are motivated offenders, vulnerable victims and absent guardians, and how these interact in the proximate context of an indefensible rural wilderness and the distal political economic and socio-cultural conditions. This composition of actors and scenes, or agency and structure is best articulated through a social relations script format.

Due to my adherence to a critical realist conception of causation, that is a causal powers aetiology from within an intensive strategy, rather than the successionist theory bounded to an extensive one, it was imperative to utilise a research design that enabled me to make guiding theoretical propositions for generalising to theories (of substantial relations of connection) rather than to populations (of formal relations of similarity and difference). Such formal relations of similarity and difference, or the effect of an independent variable on

an experimental group and a control group are unable to analyse specific cases from defined contexts (Sayer, 1992; Dannermark, et al, 2002).

My mundane fauna crime case study began as a multiple case study, concerning fisheries poaching, hare coursing, and sheep rustling, in addition to deer poaching. However, a number of factors—including the narratives of my respondents— led me to whittle it down to the single case study which is here presented. For example, sheep rustling was jettisoned to the difficulty in accessing data in this area, as only a few experts knew anything about it and the ones that did, such as the NFU and a few rural cops, weren't overly divulging. Additionally, my distance from the epicentre of hare coursing, which occurs in the east of the country made research in that area impractical. Thus, I elected to settle on dissecting a single case. Deer poaching became the focus of this study mainly due to the way my local deer poaching expert respondents snowballed and data emerged abundantly: people wanted to talk to me and had a lot to reveal on the unresearched problem. It also appeared the most systematic, routine and serious of all the initial cases, while at the same time also the most ignored. Furthermore, I am from and still live in the region in which the illegal taking of deer is most prevalent. I know the area, the people, the lay of the land which my father worked on, and the rural rhythms of the South West. The end result was a case study of deer poaching and the illegal taking of deer, in the context of the secluded South West of England and the units of analysis are the substantive relations of connection producing those offences. The substantive relations include instrumental and expressive motivations, the suitability of targets and the absence of guardianship, along with the conditions that enable or frustrate these rationalities, such as market demand and supply for poached goods and

land-use regulations that enable poachers to present themselves as informal guardians and 'capture' formal, expert guardians, such as vets and government agency officials. This abundance of data meant that I was able to make the decision that the single case was adequate for answering my research question (Yin, 2003: 10-20).

### **3.5 Approach to data collection: Ethnographers tool kit**

The best approach to facilitating the collection of data for intensive based realist social relations scripts from within a case study-based research design is an ethnography (Edwards and Levi, 2008: 379). A qualitative understanding of necessary and contingent relations is required for the analysis and the ethnographic method is most appropriate for 'those concerned with the social relations of organizing serious crimes in order to connect interactions observed in specific situations to their broader political-economic and cultural conditions. The assumption is that these conditions structure interaction in particular ways' (ibid: 379). My assignation of structural causality to political economy, such as divestment of rural state services, unintentionally enabling legislation and harmful rural policy, is therefore congruent with the qualitative requirements specified by the authors.

The specific form of ethnography being deployed can be associated with 'thick description' (Geertz, 1973). While I haven't 'gone native' and camped out on the moors or accepted work experience in a meat chopping plant, I do have a thorough knowledge of the local social conditions and the settings actors tend to operate within. I was born, raised and still live in the South West. I reside in the

county where most of the action takes place. I used to drive through the towns where the suspects live on my way to a summer job painting a country house prior to commencing my Ph.D studies. It was surrounded by the fields and forests of the National Park which deer are plundered from. This localism enabled me to access key respondents: a deer stalker who exposed a poaching syndicate has an office, 5 minutes' drive away from my house. We met there and drove another 5 minutes to his home. There we spent the afternoon chatting about poaching incidents, with his wife and surrounded by his hunting dogs. The first case of illegal slaughter to be successfully brought to Crown Court and to use the Proceeds of Crime Act occurred in Devon and was led by one of my respondents.

A thick description or rich ethnographic approach was further enabled by my own background. My late father worked as an agronomist, or soil scientist, in the region under research. His job was to advise farmers on how to yield the optimal harvests from the land. He had clients across the counties included in the research and an office at the epicentre of the poaching epidemic, in the wild west. Prior to starting my university studies, I would often drive my father to farms in the rural locations which are the settings to the scripts or the conditions of existence for the field work, and indeed, my own. I would speak to farmers and their families and observe farm hands in their settings. I took in the features of the surrounding wilderness, while my dad took test-tube samples of soil from the fields in wellington boots and discussing varieties of crops, before we climbed back into the muddy car. The 'thickness' and richness of my own lived experience in rural Devon thus enabled access to respondents who were comfortable talking to a 'local lad'. It also enabled a natural intuition of the crime commissioning process and its conditions of existence, which would have been less pronounced

if I was from Elephant and Castle instead (where I have briefly lived while studying for my MA). As a 'Devonian', I felt a natural rapport with my local respondents which required no contrivance, as has been the case in the past when working in public houses in London. This naturalness was then amplified as our shared experiences became more focused onto the rural and outlying parts of Devon, where we were from. My position as a Ph.D. researcher was not a barrier to gaining access to the unguarded interpretations that my respondents were forthcoming with. Ultimately, I felt like an interested observer lending an ear to people who wanted to share their stories of grave encounters and criminal events, not an outsider leaving the ivory-tower for the afternoon.

However, my embeddedness within the 'deviant' setting also exposed problems. There aren't very many 'Orlando's' in Devon, and Goodall is not exactly a 'Smith' or 'Jones' either. Should the offenders decide to put their mind to locating me, it wouldn't be that difficult; they all live a relatively short car journey from where I do. I hesitated to use my father's old clients as contacts in the research for this reason. Despite the potential insider access to a rich pool of earthy respondents, these are people who have the phone number and address to my mother's home. It is plausible that the farmhands working for my father's old clients make an appearance in the offending processes, such as the ancillary taking deer for profit. It is also entirely plausible that they do not, despite respondents' allegations that indeed, 'everyone's at it'. My research also revealed that some landowners, later discussed as conniving or captured informal guardians, are enabling the illegal taking of deer. So in the interests of safety, both my own and my family's, I did not overly associate with some potential local connections. My reflexivity and perceptiveness toward the research however

was enabled and enhanced due to my lived experience as a life-long inhabitant of the rural West Country.

### **3.6 Data collection and sampling procedures**

My 'thick ethnographic' approach enabled me to conduct rich qualitative interviews with a rich variety of local respondents. The exact details of the interviews can be gained from the interview table, situated after this chapter. I spoke with an array of practitioners with lived experience of the poachers and responding to illegal taking. Some key experts shared land borders with key suspects and would chat as neighbours do, despite their differing positions; as poacher or preventer. My approach to interviewing was an in-depth semi-structured style of open-ended questioning. I had a clear idea of the areas and themes I wished to interrogate and did so through purposeful but congenial conversations. I also gathered discursive documentary data for the purposes of content analysis and participated in an observation session with an Environmental Health officer on a day trip visiting registered hunters who supply meat to the local venison industry. The interviews can be described as conversations with a purpose, mostly with senior level expert practitioners, who were hard to reach. Where others failed to get surveys returned by such respondents, I spoke with them for 1-3 hours (Wyatt, 2016). This is the generally accepted procedure applicable to qualitative research strategies and case study research designs in the social sciences (Berg, 2001: 225, 240; Bryman, 2004; Yin, 2003: 86; Silverman and Marvasti, 2008: 148; Taylor et al, 2016: 54, 101). They are also the standard procedures amongst criminology researchers (Noaks and Wincup, 2004: 74, 106; Levi and Edwards, 2008). Within wildlife criminology,

and especially poaching related research, interviews and content analysis are also privileged methods amongst qualitative strategies (Nurse, 2011; Eliason, 2012). As Hobbs (1994: 442) notes, these are the most fruitful tools currently available to most criminological enquiries:

*The covert, non-institutionalized base from which professional and organized crime operates favours the use of a range of largely interpretive approaches. Until gangsters, armed robbers, fraudsters and their ilk indicate their enthusiasm for questionnaires or large-scale social surveys, ethnographic research, life histories, oral histories, biographies, autobiographies and journalistic accounts will be at a premium.*

Within contemporary research on poaching in the U.K, the problem Hobbs alludes to is alive not just in criminogenic cultures, but also in the regulatory agencies. Wyatt (2016) used the survey questionnaire method to research the views of police and the British Association of Shooting and Conservation (BASC). Twenty seven of the 52 wildlife crime officers directly contacted responded to Wyatt, while only six of the 'thousands of members of BASC' responded to an advertisement placed in the association's magazine (Wyatt, 2016: 192). I contacted the organisation directly, by phone and by email, and was fortunate to be obliged a lengthy interview with the director. I also interviewed many top tier rural and wildlife crime police officers. In this respect my approach to sampling respondents was 'probe sampling', which can be interpreted as seeking a more defined quality of respondents over boundless quantity, in ontologically uniform social settings (Collins and Evans, 2015). I argue that the settings are reasonably representational of each other and uniform due them all being emblematic of

rural areas of the secluded South West. All are encapsulated by the indefensible rural wilderness, the concept which I adaptively constructed while embedded in those regions. Rather than speaking to anyone driving a Landover on the moors, I approached local expert practitioners with many years of experience to divulge their rich experiences of responding to crimes and then pushed for snowballing to other high-end respondents.

The probe sampling approach was necessary due to the adverse impacts placed upon my access to the field. The industry sponsor to my Ph.D., Natural Resources Wales, disconnected with me three months into the studentship. Having this gate firmly closed pushed me to start accessing respondents from scratch, in a field I was not familiar with. I overcame this hurdle by scouring suitable grey literature, the local press and social media. I gathered the names of experts mentioned in those sources and put them into a Google search. I then emailed or phoned their organisations' offices and was almost always met with a positive response, either from a gatekeeper, or directly from the respondent themselves. This probing approach led to snowballing with varied respondents; I intentionally contacted representatives from opposing ends of the wildlife interest spectrum, such as hunt advocates and anti-hunt campaigners, while also those that are purportedly neutral. I did so to ensure that my snowballing represented a diversity of responses.

This was a successful approach and I feel I have spoken to everyone of importance in the wildlife policing and meat processing regulation sectors in the rural West Country. This is due to being recommended back to people I had already interviewed and therefore I felt that I reached saturation point: I

recognised all the names being dropped. To continue collecting data would have meant repeating themes and would potentially have descended into gossip, something which does occur in the rural deer world! Some people on the ground who became aware of my research wanted to air their grievances with other hunters or topics, rather than divulge pertinent information. In light of this, I have sat down with at different times: a rural force lead sergeant who received a lifetime achievement award from the WWF for wildlife policing; the Chief Inspector of the National Wildlife Crime Unit; an RSPCA lead barrister; the National Trust Deer Warden; Exmoor National Park Head Ranger; a deer stalker who exposed a national animal harm and poaching ring; the leading deer surgeon of the UK; an Environmental Health manager; various police chief inspectors; a senior intelligence officer of the Food Crime Unit of the Food Standards Agency; a retired officer who was the first wildlife liaison officer in the UK, before the current model of wildlife crime officer was created; the Chairman of the National Gamekeepers Organisation and head game keeper on Exmoor; the Director of BASC and the Lead for the national Poaching Priority Delivery Group; multiple wildlife crime officers; trading standards officers; and deer stalkers. I have conducted repeat interviews with some key respondents, many of whom now phone me to update knowledge, to share intel or just for a chat. I also conducted a round-table lunch event with four key respondents one year after much of my data collection had been completed. At this afternoon event at a National Trust Office, the respondents validated my crimes scripts, which were handed around while we discussed new turns of the script emerging in the region and ate local pasties.

Research has not been carried out with offenders, strictly speaking. I say strictly speaking because the deer stalkers whom I spoke to were mostly men over 50 and had been legally dispatching deer for most of their working lives and connected to the licit venison industry. According to experts, some of the respondents in this category were alleged to have poached in the past or been linked to illicit activity. Some of those respondents would almost defensively state during interviews that they 'don't poach' while quickly diverting eye contact. Others assumed distracted body language and would lose a train of thought when I pushed the conversation on to their own roles in the fight against deer poaching. Others seemed to assume the air of catharsis while talking to me, as if to exonerate themselves from previous wrong doings, by giving me names of current 'poachers'. This felt like an ex-con making good for a history of shady business. However, I did not speak to respondents that can be defined as offenders. This was for reasons of personal safety, as stated in the previous section. Some of the main offenders have multiple henchmen, who not only drive around the moor shooting deer for them to sell, but it is alleged, take care of any other business. Local press and expert respondents report that some of the suspects are known to use violence and have been charged for assault and in some cases, worse. Violence against animals and humans was a regular feature of the research. Being a born and bred local was both a privilege and a hindrance, for the reasons of potential violence and my whereabouts being relatively easy to ascertain. Many anti-hunt campaigners have been viciously attacked and hospitalised by pro-hunt agents and thugs in the rural fields (Bawden, 2016). The home of the League Against Cruel Sports officer in their Deer Sanctuary on the moor is regularly peppered with bullets, the abode has panic buttons, CCTV and

a panic room. When I interviewed the quiet and sensitive occupier, he sounded defeated and beleaguered. Violence in the rural life-worlds of the secluded South West is normalised and banal.

### **3.6a Interviews**

As shown in the Interview Table at the end of this chapter, between January 2016 and May 2018, I conducted 36 Interviews. As just mentioned, I also conducted a round-table lunch event with four of my key respondents and spent a day on the road at work with a regulatory officer visiting registered deer hunters. These interviews were with senior level, expert respondents who all had many years of experience in their particular fields and many were hard to reach. The probe sampling technique was important for those reasons, as was the qualitative substance of the conversations, due to their open-ended and conversational nature. I used this in-depth and insider knowledge to elicit 'thick descriptive accounts' of the scripted crime commissioning processes I would otherwise have been external to (Geertz, 1973: 06, 20, 21). I entered into interview events with 5 or 6 thematically linked pre-defined questions on the organisational characteristics of the illegal taking of deer and the illicit processing of venison. These were organised chronologically, which I felt enabled the questions to cohere and complement each other. This allowed for conversations to develop naturally. I was alert to not force or manipulate the direction of discussions. Overly leading questions were therefore avoided. My objective was to gain thoughtful and rich answers to my questions. I also implicitly used questions as prompts, to allow the interviewee to freely express

their accounts and for the discussion to be free to digress. My research questions were simply: *what are the organisational characteristics of poaching and the illegal taking of deer? What might the stages of the crime commissioning process look like? How are they being achieved and what contexts or conditions are helping or hindering the processes?*

As such, elsewhere in the literature (Berg, 2001), my interview template is referred to as the 'semi-standardized' model; 'This type of interview involves the implementation of a number of predetermined questions and/or special topics. These questions are typically asked of each interviewee in a systematic and consistent order, but the interviewers are allowed freedom to digress; that is, the interviewers are permitted (in fact expected) to probe far beyond the answers to their prepared and standardized questions' (Berg, 2001: 70). I feel this definition is a fair approximation of my interviewing style. Near to the end of the data collection process, when I felt confident around respondents and the subject matter, I approached the final few interviews with almost nothing predefined. I took this approach once with a leading local wildlife crime officer, during our second face to face interview. This occurred after we had spoken on the phone numerous times and had regularly exchanged emails. I also entered into the 'round table' lunch meeting in this fashion, which I used as a respondent validation process. I presented my ideas, findings and concepts to them, which they validated. It was at this point that I also realised that I had saturated the respondent pool for my case study. A key expert respondent who shares a land-border with a core poacher suspect informed me that he had mentioned to the suspect in passing that our meeting was occurring. The suspect apparently

laughed it off and claimed that he'd never get caught and nothing will ever change. I felt that that was a good time to hit the ejector seat button from the field.

As shown in the Interview Table at the end of this chapter, interviews were conducted in police stations, council offices, the homes of respondents, while dogs licked my hands, in pubs, in Land Rovers, National Trust seminar rooms, Environmental Health offices, Trading Standards offices, in the homes of certified hunters being audited by agents, and over the telephone. I met a National Wildlife Crime Unit Investigator in the corner of a public house, which I later watched a suspect enterprise deliver produce to. I spent the day visiting hunters with a local environmental health officer. Early in the research, before I had settled on a case study, other notable things occurred during interviews. Illicit artefacts were shown to me during one meeting; confiscated wildlife items ranging from a collection of rare bird eggs, a generous butterfly collection, to a large ivory tusk, valued by the officer at over ten thousand pounds. During the interview the wildlife crime officer expressed regret at not being able to take me out for a drive into the local wilderness. However, due to him being the on-call officer in a small town, he was also responsible for responding to all emergencies and any beat work. In the time I spent with the officer, it was apparent that wildlife policing was his passion and where his skills were abundant (he had just won a globally recognised award for his work). It therefore struck me as regrettable that he was also responsible for responding to all those crimes, due to the impacts of austerity.

While it can be generally submitted that I used the ethnographic experience to 'elicit respondents' perceptions' of events, I do not feel the subject

matter I was probing was as open to a potential multiplicity of meanings as other sociological studies might be (Silverman, 2008: 69). I was keen to portray the impression of a natural composure and confidence during the interviews, so to mirror the dispositions senior level experts, to ensure interviews remained congenial and unstilted. All but two respondents were male. All white and between mid-30s and mid-60s. I feel my approach was one of flexibility and reflexivity which helped nurture a rapport as questioning progressed. This is roughly in line with Berg's position; 'Questions used in a semi-standardized interview can reflect an awareness that individuals understand the world in varying ways. Researchers thus approach the world from the subject's perspective' (Berg, 2001: 70). As a 36-year-old male native to the region, I felt this objective was easier to achieve than had I been interviewing other demographics, from elsewhere.

Taylor (2016: 103-104) suggests there are three main types of in-depth interview in qualitative research strategies. Of the three, I suggest the 2nd, is applicable to my research, which states the interview process 'is directed toward learning about events and activities that cannot be observed directly. In this type of interviewing, the people being interviewed are informants in the truest sense of the word. They act as observers—eyes and ears in the field—for the researcher' (ibid, 104). Of the alternatives, the life history interview template is of lesser use to my aims (Bryman, 2004: 322). A rich depiction of the daily lives of neither poachers nor wildlife crime officers would address my research questions. Interviews were also conducted using the telephone. This method is not without its problems, as Berg states; 'telephone interviews lack face-to-face nonverbal cues that researchers use to pace their interviews and to determine

the direction to move in' (Berg, 2001: 82). In keeping with most qualitative interviewing via the telephone, I chose this medium due to geographical factors. I interviewed a wildlife crime sergeant based in North Wales and members of the National Wildlife Crime Unit, based in Scotland. I live in in South Devon, South West England. Roughly an 8-hour drive and longer by train. Having studied in London for four years prior to taking my Ph.D., I do not own my own car. Interviews were not always easy to arrange, due to the importance of the experts I interviewed and the constraints on their busy schedules. The Wildlife Crime Unit telephone interview (I interviewed two members of the twelve strong team) only lasted for 26 minutes. On one or two occasions respondents pulled out of interviews at the last minute while I was already present and waiting. Had I travelled for 8 hours and booked trains and hotels this would have been a bad usage of my time in the field and stipend. Conducting interviews over the telephone afforded many benefits: I was able to sit comfortably with my many notes around me and use multiple recording devices as back-ups. I could talk naturally and write ideas and responses down, without having to maintain eye contact and ensure a natural repose. There were also no interruptions at all. In face to face interviews I carried one recording device and generally would not look down at my pad and rarely wrote ideas down. I noticed a few times when I did stop and scribble notes during early interviews it would prompt respondents to pause utterances and disrupt their flow. I attempted to remain engaged in eye contact and conscious of the correct posturing, to positively reinforce the respondent's utterances. Often this meant that I was overly occupied with how my own presence appeared to my respondent, which would hinder my critical engagement with the emerging data. I overcame this fault after a few face-to-face

interviews, and it was one favourable feature of the telephone interview style. Telephone interviews were necessary due to the geographical dislocation of many respondents located in isolated and hard to reach regions served by little to no public transportation.

### **3.6.b Content analysis: Official operational intelligence and local media**

It had been hoped that the research would benefit from my original sponsor, Natural Resources Wales (NRW), allowing me to access their archival records of instances of wildlife crime. Minutes to meetings or conferences held on wildlife and environmental crimes would also have been potentially forthcoming. Such documents would have had the status of being derived from the state, due to NRW being a governmental agency and therefore of significant value to a qualitative content analysis (Bryman, 2004: 386). However, as discussed earlier, the NRW representative disengaged from the project. Consequently, privileged access to documents was not forthcoming. I minimised the disturbance from this shortcoming by seeking and being granted access to records of the sole anti-poaching operation conducted in the region being researched. Operation Nero was a multi-agency anti-poaching intelligence-led operation. It consisted of agents from the National Wildlife Crime Unit, local police, Trading Standards and the RSPCA. I took brief notes from an official Op Nero printed document, which a respondent involved in the operation showed me. I was permitted to skim through the document for a few minutes during an interview. I also recorded and transcribed the interview in which the respondent read at length from the official intelligence document. I was otherwise not

allowed access to the intelligence materials that the Op was based around. All of the suspects featured in this research are from that intelligence report and subsequent operation. The operation was years in the making and therefore the data is significant and validated by the majority of my key respondents. All of the suspects and their enterprises have been given pseudonyms in this research. Beyond this key intel picture there is hardly any recorded materials on contemporary deer poaching or illegal taking and grey game enterprise, with few agencies actually even documenting the phenomenon. Wildlife crimes are 'non-recordable offences', so no one officially catalogues their frequency.

In light of this, during the early stages of my literature review and initial proposition formation I used social media and local press reports to get a handle on what was happening in the rural West Country. Online social media such as Facebook contains a treasure trove of real-time grey data, because organisations such as League Against Cruel Sports use the medium as a central communicative platform. I followed all the main groups online, both local and national, and reviewed their social media posts. This was an important review of the literature being posted online by these groups, in the absence of existing state produced and academic literatures. Offenders also rely heavily on Facebook to arrange, broadcast and brag about their poaching or harmful exploits. However, these are usually closed groups with entry heavily guarded, as such, I did not attempt to gain access to it. The mainstream press such as regional newspapers are also helpful because they print police press-releases and instances of wildlife crimes in rural regions. An officer I interviewed proudly claimed to have written the press-release which I showed him as a print-out from an online source. However, the usage of purely social media and the press as documents is to be approached

with caution. Although this form of communication is now the most effective and recognised tool in the 21st century, the veracity of the data contained in social media sources is potentially unreliable. As Bryman notes, it is integral to interrogate documents as sources of data for their authenticity, questioning 'is the evidence genuine and of unquestionable origin?' and for its credibility, questioning, 'is the evidence free from error and distortion' (Bryman, 2004: 381). While such factors may always have been important, in the era of 'fake news' on even mainstream news sources, these questions are now hugely significant and especially when working with online social media content. Nevertheless, Noaks and Wincup argue 'Media representations of crime and deviance provide a unique documentary source for qualitative research. Criminology has an established history of using the media as a research tool to access public understandings of crime' (Noaks and Wincup, 2004: 113). Indeed, much of the material accessible would otherwise only have been obtainable via physical publications in mail outs and subscriptions to various organisations. The days, weeks or even months that might pass during print runs of small NGOs' newsletters is thus bypassed by these new forms. Constantly reviewing the various local police force and wildlife crime police Facebook pages was helpful to my learning and for the formation of the many concepts introduced in the next chapter. The section on signal-less crimes, in the following chapter, shows the way in which I applied reviewing online medias. It should also be recognised that the majority of the posts on the police force Facebook pages (which were the pages I visited the most) were generally official accounts of responses to local crimes or ways of sharing official police press-releases. Nonetheless, online evidence was for the most part used for illustrative and contextual purposes only

and was not treated as factual evidence in the formation of the actual crime scripts. Multiple accounts from expert respondents were used for the constructions of the crime scripts, followed by respondent validation exercises.

### **3.6.c Participant observation**

I was invited by the National Trust head deer warden to participate in anti-poaching patrols of an estate which experienced significant poaching problems. I interviewed the respondent twice, but this event never transpired. Ultimately it would likely have been met with disapproval from the university ethics committee, because it was an over-night patrol of informal nature. The warden conducted the patrols because the problem was out of control, no other agencies were patrolling, and he cared about the deer. He stated to me that he had had stand offs with poachers on country roads, neither allowing the other to pass in their Land Rover vehicles. There could have therefore been a threat to my safety. I did join a local Environmental Health officer during his inspection duties of registered hunters in the area. This was conducted to check their records were properly maintained and to verify their knowledge of professional procedures were sound. This meant I spent a full working day with a knowledgeable official as we visited registered hunters in their places of work in the venison production industry. I spoke with the licensed hunters and asked if they had ever experienced poaching or illegal taking. Both said they had, one said it was a significant problem. I exchanged details with the hunter assuming this was a snowball interview, but nothing came of the exchange and we did not meet. Such occasions make me reflect on the interaction and whether he himself conducts

the offending emergent from the research. This excursion was illuminating, as it gave me a chance to see the environment in which deer were dispatched, gralloched (disembowelled) and further processed and the mannerisms of the participants in those acts, regardless of their legitimate actor status; it contributed to my qualitative ethnographic approach and rich emersion in the field. The day spent travelling with the energised and talkative officer was also crucial for my learning of the organisational characteristics of offending.

### **3.7 Ethical considerations and researcher safety**

My research interrogated the actions of people who routinely kill animals and who are known to have committed assaults on humans. Consideration of my respondents' and my own safety was important, as is positioning my own ethical standpoint (Greenhouse et al, 2002). As already stated, to ensure my own safety I decided to not make contact with suspected offenders in the research. They are known to be based not far from where I live. A local vegetarian restaurant which opened on the moor in the thick of the hunting countryside community was driven out of the area, having its windows smashed and animal carcasses left on the property. The local League Against Cruel Sports sanctuary building is regularly peppered with shot gun bullets. Hunt monitoring groups are regularly assaulted by fox hunt operatives when trying to prevent the wildlife crime of fox hunting (BBC Devon, 2005). I did not want to wake up with a deer's head in my bed (despite its potential financial value). Ethical approval for this study was sought from and granted by Cardiff University's School of Social Sciences' Ethics Committee.

I ensured the safety of my respondents by only contacting, interviewing and including high level, seasoned experts with many years' experience. Therefore, there is no threat that could have emerged from participating in my research than was not already pre-existing due to their professional position. Many had done press interviews, most regularly visited or integrated with suspects, so if offenders wanted to find out their identities, they could just read the local paper or knew already. Others, such as trading standards and police had regularly conducted premises checks (thus revealing their identities) and raids, in the form of the aforementioned Operation Nero.

My ethical position as a researcher was taken into account. While researcher subjectivity is of course always present in social research, I was keen to follow the critical realist scientific modality of research and be an objective conduit for the emerging data to flow through, while acknowledging that reality is always concept dependent (Sayer, 2000). I felt I coped with what was an emotive and loaded topic by framing the offending as an instrumentally rational crime. I tend to be quite a reflexive person, so I remained aware of my subjectivity throughout the project. The killing of an animal in a semi-expert manner, for the instrumental rationale of making money, does not personally inspire such an emotive response, in contrast to those killing animals for the expressive thrill of it and gratuitous pleasure. I feel it would have been harder to remain a neutral arbiter analysing animals being caged and attacked for sadistic gratification and gratuitous cruelty, rather than being illegally hunted for serious financial gain.

### **3.8 Conclusion**

This chapter has outlined my approach to gathering, analysing and presenting data gathered during the course of my research. It was deemed the most efficient methodology to solve my research problem. It is a classical critical realist aetiological analysis, that is a causal powers account of the problematic. An intensive research strategy was implied by the research questions, which were derived from my interactions with the existing literature. The realist social relations script theory emerged as the most efficient theory for guiding my analysis, from my adaptive approach toward the research process. To get at the required myriad of colliding social relations from an intensive approach (to avoid a chaotic conception and to register the real problem) a critical realist ontology and epistemology was adopted. This was the most fruitful philosophy of social science to underpin an ethnographic approach to the data collection procedure concerned with aetiological ascription, or causal analysis. These procedures were qualitative interviews, content analysis and ethnographic observations with experts in the field, compounded by my own lived experience of growing up in the thick of the research area. A case study research design was implied by the strategy, to elucidate a rich account of action from a single spatial-temporal context which enclosed a unity of diverse determinations. Data emerged from the interpretations of senior control agents with lived experience of the offending. Sometimes they were neighbours with one another and mixed during the course of their private and professional lives. The study transpired to be a single case, exploratory or revelatory in nature. The following chapters discuss the findings and analysis made possible by this methodology.

## Interview Table

Respondent	Location	Length	Date
Wildlife Crime Police Sargent	Telephone	01:42	05/01/2016
Wildlife Crime Officer (1st)	Police Station	3hrs	27/01/2016
Wildlife Crime Officer (2nd)	Police Station	01:43	13/12/2016
RSPCA Barrister	Telephone	35mins	17/03/2017
National Wildlife Crime Unit Investigator	Public Venue	2hrs	23/03/2017
Devon National Park Head Ranger and Rural Crime Initiative Lead	Office	01:21	12/04/2017
National Trust Head Deer Warden	Telephone	01:33	21/04/2017
RSPCA Special Operations Unit Officer	Telephone	58mins	25/04/2017
Trading Standards Animal Welfare Senior Investigator	Office	3hrs	26/04/2017
3x Rural Police Officers	Police Station	02:45	10/05/2017
Wildlife Crime Police Officer (3rd)	Telephone	01:25	20/06/2017
Expert Deer Stalker Poaching Witness	Home	3hrs	22/06/2017
National Wildlife Crime Unit Chief Inspector	Telephone	33mins	05/07/2017
Deer Surgeon Local Expert	Telephone	1hr	11/07/2017
Rural Police Officer	Police Station	01:15	13/07/2017
British Deer Society	Office	01:30	14/07/2017

<b>Respondent</b>	<b>Location</b>	<b>Length</b>	<b>Date</b>
Environmental Health Manager	Office	01:15	28/07/2017
Police Chief Inspector	Telephone	01:45	07/08/2017
Environmental Health Officer (1st)	Office	45mins	08/08/2017
National Gamekeepers Organisation	Telephone	25mins	09/08/2017
Deer Stalker and Licence Assessor	Telephone	01:25	15/08/2017
Food Standards Agency	Telephone	50mins	16/08/2017
Deer Stalker	Home	01:30	21/08/2017
Environment Agency Technical Expert	Office	01:45	22/08/2017
Deer Stalker, ex first Wildlife Crime Officer	Telephone	2hrs	25/08/2017
Environment Agency Officer	Telephone	1hr	29/08/2017
Wildlife Crime Officer (repeat w'#2)	Office	1hr	29/08/2017
League Against Cruel Sports	Telephone	2hrs	05/09/2017
Wildlife Crime Officer (repeat w'#3)	Office	2hrs	23/10/2017
Rural Police Officer Force Lead	Office	01:15	10/11/2017
Deer Initiative	Telephone	1hr	30/11/2017
Senior Environmental Health Investigator	Public Venue	01:30	06/12/2017
Environmental Officer Meat Produce Specialist	Office	2hrs	07/12/2017

<b>Respondent</b>	<b>Location</b>	<b>Length</b>	<b>Date</b>
Natural Resources Wales Investigator	Telephone	1hr	26/01/2018
Wildlife Crime Officer (2nd repeat w'#3)	Telephone	20mins	19/03/2018
Deer Stalker and Licence Accessor (repeat)	Telephone	30mins	26/05/2018
Roundtable Respondent Validation Lunch: National Trust Deer Warden, Local Deer Surgeon, National Park Head Ranger, Wildlife Crime Officer	National Trust Office	3hrs	13/06/2018

*Figure 1*

## Chapter Four

### Substantial Relations of Connection: Beyond the 'Wildlife Crime' of 'Poaching'

#### 4.1 Introduction

This chapter introduces the substantial relations or necessary conditions from which the mundane fauna crime of the illegal taking of deer in the rural West Country emerges. It discusses the qualities that are necessary for offending of this variety to emerge; without these particular social relations or generative mechanisms, from within these specific contexts, these mundane fauna crimes would not emerge in this distinct form, as grey game enterprise crimes (Sayer, 1992: 62; Edwards, 2016: 993). How these mechanisms interact and articulate as situated activity is discussed in the following two crime script chapters (Chapters 5 and 6). The penultimate chapter on contingent conditions elucidates the contexts which are external to the problem and therefore not necessary for its existence, but contribute to its emergence by enabling or constraining those causal powers from distinct remote, or 'distal' and situational, or 'proximal' settings. Separating the necessary from the contingent is a core ontological concern for realist aetiology, as is demarcating mechanisms from contexts, or agency and structure (Sayer, 2000: 5-20). This chapter identifies the substantial relations of poaching and illegal taking of deer offences in line with the realist social relations crime scripts (Edwards and Levi, 2008; Edwards, 2016). Crimes are understood as the concretisation of a unity of diverse determinants.

The chapter begins by designating the central internal social relation from which crimes are actualised as the routine activity triangle. This structure becomes generative once its powers are contingently activated, by conditions discussed in the penultimate chapter. To understand the connivance and 'capture' of informal guardians (such as rural landowners) or slippage between guardian and offender, a realist social relations synthesis is advanced, to augment orthodox routine activity theory. From this theoretical shift, a core offender

substantial relation becomes identifiable. Suspects are explained as being embedded in rural and meat enterprises, rather than criminal underworlds, which facilitates the organisation of illicit grey game activity as ancillary to legitimate business practices. Following this a conceptual distinction is made between 'real poaching' and the 'illegal taking of deer', which is offered as an original concept to the literature. The motivations for commissioning these offences are then discussed as instrumental rational acts and expressive dispositions. Further original contributions which emerged from the data which are integral to the offences character are then presented. The first is the concept of 'mundane fauna crime'. As alluded to in previous chapters, this concept seeks to counter the imbalance of attention that 'megafauna' receive in policy and academic discourse. After this I submit the necessary material conditions from which poaching and illegal taking emerges. This concept is known as the indefensible rural wilderness. The chapter closes by suggesting that the material conditions which facilitate rural enterprise offending, contributes to the production of 'signal-less' crimes. This phenomenon is generated by the normalcy of hunting mundane fauna in rural locales and their depredation by traditional countryside pursuits enthusiasts and the farming community conducting pest control.

#### **4.2 Routine activity substantial relation as generative structure**

*'It's really hard to stop it and to be honest, trying to catch somebody poaching is like catching a burglar climbing through somebody's window, it's really hard to do with the resources we've got'*

(Wildlife Crime Police Officer, South West, interview, 2017).

The routine activity theory ascribed convergence of motivated offender, suitable victim and absent capable guardian is a principal criminogenic structure in the emergence of deer poaching and illegal taking of deer in the rural West Country (Cohen and Felson, 1979). As the above quote from an expert states,

catching a poacher in red-handed is not an easy task, especially over such large swathes of isolated and desolate rural areas in the secluded South West. Other experts report the difficulty of apprehending motivated offenders committing mundane fauna crimes in secluded rural areas. A chief inspector of the RSPCA special investigations unit, who I interviewed, states in a Guardian news article referencing a different type of mundane fauna crime committed by grey game enterprise suspects, that; *'it's extremely difficult to detect. These people are going out into secluded woodlands, sometimes on to farmland with permission of the owner, which makes it extremely difficult to investigate'* (Morris, 2018).

The offence can therefore be registered as a combined tendency of the motivated rural worker with the capacities to poach, suitable victims which are abundant, vulnerable and timid, and absent capable rural agencies (Cohen and Felson, 1979). The contingent conditions are identified in the penultimate chapter that trigger the structure's activation: enabling motivated offenders and incapacitating capable guardianship. This structure can therefore be identified as being the 'necessary requirements' for the generation of illegal taking and illicit processing (Edwards, 2016: 993). Disambiguating the substantial, internal and 'necessary' from the contingent, external and 'formal' is an essential analytical step in the philosophical realist framework and one that is accomplished by realist social scientists exploring other counterfeit consumption industries (Edwards and Hughes, 2012: 350; Bellotti et al, 2018). Routine Activity Theory (RAT) in its ordinary, unmodified form aides our awareness of the necessary (and ultimately 'proximal') conditions, which makes it a suitable device for specifying the substantial relations of connection of the problem. This is an essential step of understanding how the offending is generated (Sayer, 1992: 62-74).

The authors of RAT acknowledge the capacity of the theory to elucidate the structural impacts of shifting social, cultural and economic patterns upon rising crime rates using pertinent examples situated in post-war North America. Social trends mostly impacting the advent of suburbia, unguarded dwellings, along with vulnerable persons away from the safety of their homes and the rise in ownership of consumerist possessions are all discussed by the authors as criminogenic factors within the scope of RAT (Cohen and Felson, 1979: 595-604).

The 'structural' position of RAT is also notable in the reflections of crime rates rising during a period in which the usual precipitators of crime were decreasing: social deprivation, poor quality housing and widespread unemployment were not issues pervading the era in question. Routine Activity Theory in its unmodified form has been successfully applied by important wildlife crime and food fraud outputs (Eliason, 2012; Lord et al, 2017c).

However, from a realist perspective, the RAT account of 'structure' outlined above is inadequate for aetiological analysis and is woefully under-conceptualised. It is in fact an account that arguably coheres with the critical criminology tradition: one that identifies material deprivation as a key 'structural' property, but does not engage in structural analysis (for important discussions of different types of structure in the social sciences, see Porpora, 1998, and Elder-Vass, 2010: 76-86). The RAT account only describes potential patterns and registers correlations between trends, it does not explicitly state a socially scientific ontology of antecedent conditions. There is no explicit linkage of agency and structure, merely (important) observations. Therefore, a robust account of the necessary, substantial relations and external, contingent conditions which interact to co-determine emergent tendencies, or phenomena (such as motivated offenders, or as the underlined segment of the quote from the RSPCA officer in the third paragraph above identifies, the 'capture' of formally capable guardians) are rendered implicit in RAT accounts (Sayer, 1992: 88; Danermark, 45-46; Edwards and Levi, 2008). The realist social relations theory, in contrast, self-consciously addresses the conditions of existence that make concrete crimes possible, whilst these are left unaddressed in RAT, because RAT lacks the kind of structural analysis needed to conceptualise these conditions. This analysis therefore is consistent with the position of Anthony Bottoms, who states: '*unlike collective efficacy theory, RAT has not developed any systematic theorization linking routine activities to macro-social issues*' (Bottoms, 2012: 455). RAT is however recognised as engaging with structural analysis, of a sort, and is therefore compatible with a realist explanatory analysis of structure (Danermark, 2002: 50; Edwards and Levi, 2008: 374). To move beyond this primary stage of elucidating what is ultimately construed by this analysis as the proximal features of the research problem, a realist ontology is necessary.

### 4.3 Routine activity realist social relations synthesis

An account based in the ontology provided by a routine activity social relations synthesis elevates analysis from the situational restrictions of conventional RAT. It is able to designate what activity is routinised and why guardians are incapable or absent, due to multifarious contexts (Edwards and Levi, 2008: 374-380). An essential attribute which emerged from the research almost immediately was that for poaching and illegal taking to occur in the character that it does in the secluded South West, offenders need ownership of, or unimpeded access to land to source deer and an outlet for illegal meats. This is in the form of rural properties, regional venison processing industries and 'grey game' markets. While instances of sporadic poaching and poaching with dogs (an inappropriate method of dispatch because meat is mauled and tainted) showed up in the research, these offences were episodic in their nature. Park rangers expressed in interviews that these types of non-expert offenders were relatively simple to disrupt and guard against:

*'We've eliminated, from what we've done, the little man, the guy who might have been going out and doing a bit and making a few extra quid. We've eliminated those, they're out of the picture. What we're left with is the hardcore few that seem to just come out and go at it.'*

(National Park Head Ranger, Deer Management Group secretary and Rural Crime Initiative lead, interview, 2017).

The data shows that serious offenders and the ones concentrated on in this research are embedded in legitimate rural enterprises and commercial meat production. As the above cited Guardian article stated, motivated offenders are often committing offences '*on [to] farmland with permission of the owner*' (Morris, 2018). This discovery complicates the normal RAT structure, because the motivated offenders, such as rural workers and meat business owners, are also (at least nominally) informal 'guardians': countryside custodians with a duty to protect the natural environment. Guardians were also reported as being victims

of regulatory accommodation and capture, due to the frequent instances of connivance with motivated offenders featured in the research (Edwards and Gill, 2002). Further contemporaneous reports of other forms of mundane fauna crimes committed by these types of rural enterprise offenders in similar non-traditional scenarios state that; *'because the birds are killed in remote places, often on private estates, there is seldom evidence of wrong doing and prosecutions are rare'* (Barkham, 2019a). This untraditional criminogenic formula is inadequately accounted for by basic RAT, which requires the conceptual separation of offenders and guardians and rarely encounters the convergence of motivated offenders with suitable victims on the private property of the suspects. Realist social relations synthesis was therefore required to pick apart this complex and dynamic structure (Edwards and Levi, 2008: 375, 380; Edwards, 2016: 990, 991).

The substantial relations from which offending is emergent are identified by this synthesised analysis as routinised illicit rural and meat enterprise activity. The feature of material or workplace social relations distinguishes real poachers and illegal takers from coursers, baiters or other types of wildlife persecutor. The latter were known by my respondents to have previous convictions for violence and the theft of other goods, such as farm machinery in rural regions. The suspects alluded to throughout this research were distinguished from that category due to the causal powers of their professional positions: owners of lucrative high street butchers, or by means of their countryside occupations, such as gamekeepers.

The suspects' mode of employment and not 'criminal lifestyles' were the integral relation or vital facilitating factor which activates offending of this kind. It was specialist, direct access to legitimate supply chains, food business operations or outlets for illegally taken meats, which defined their activities, not access to underworld structures. The process might be analogous to a car salesperson who used the cover of night to take vehicles parked on the nearby streets to then shift the next morning on the garage forecourt amongst the Fords and other brands. As discussed in the literature review, due to the industry actor nature of the offending, a corporate crime could arguably be attached to this category of offence (Punch, 1996). However, because the businesses were

identified as small to medium (butchers, cutting plants, mobile vendors) and individuals were rural wage labourers, such as gamekeepers, rogue deerstalkers and farmhands, not City traders, following Edwards and Gill's (2002) conceptualisation of this more nuanced form of professional misconduct, 'enterprise crimes' is appropriated to advance our analysis. The enterprise concept coheres with the Food Standards Agencies assumption that game meat crimes are ancillary to legitimate business structures and complements a respondent who noted that offending we were discussing might be termed 'grey game' offending (FSA, 2016: 46).

These findings were in fact such a revelation to the case that it required for the two analytically distinct types of enterprise offender to be separated into their own crime scripts. They have thus been apportioned into a 'countryside careers' script, which refers to rural workers, and into an 'meat enterprise owners', script. The enterprise owners are also referred to throughout as meat outlet entrepreneurs. The two share many of the same actors and scenes but required separation due to some distinct turns of the script, which is revealed in the following two chapters. The identification of distinct turns of the script by the separate suspects reveals unique vulnerabilities of the commissioning process and hence opportunities for their intervention. Moreover, it specifies which agencies have enforcement powers over the particular stages: rural workers might be better guarded by wildlife crime officers and rural crime units, while enterprise owners might be disrupted more forcefully by Trading Standards. Likewise, the middle-man facilitator mechanisms of Approved Game Handling Establishments (game meat cutting plants and dealers) are regulated by Environmental Health.

#### **4.4 Countryside careers and meat enterprise owners: 'grey game enterprise' offenders**

'Treat venison as a commodity that can be stolen and you can't go far wrong. If you look at places where there are large populations of deer and predominantly red deer, which can be laundered, you're looking at a

marketplace. The marketplace is, what is there, 70 million people in the UK who can eat red meat? So there's a massive market place, everyday there's a massive outlet for it.'

(Wildlife Crime Police Officer, poaching lead expert of ten years, interview, 2017).

The necessary condition for the emergence of this type of mundane fauna crime to emerge is that offenders are not a chaotically conceptualisation of 'wildlife criminals', but that they earn their living through legitimate rural occupations or commercial meat vending. As this quote from a deer specialist and vet who has lived in the region for 30 years states:

*'We know who is operating under these kinds of conditions; they're farmers sons, they're local butchers. And these people are generally not rural criminals. They're not thieves, they don't steal quad-bikes, they're just out for the deer'.*

(Deer surgeon, expert police witness and local livestock vet, interview, 2017).

This central finding was confirmed by a local police officer with experience of responding to venison processing crimes while leading a multi-agency anti-poaching operation in the South West:

*'Our fellow in [place name], I can't remember if his family did farming as well, but he certainly had, for like 60 odd years and his son was also involved in it as well, so it kind of passes down through the generations. And he was a qualified licensed butcher'.*

(Police Officer, South West Illegal Meats Group, interview, 2017).

This finding was again echoed by other senior local experts:

*'The other lads could be people who are living and working locally, they've got a little bit of shooting [permissions from land owners]... they could be gamekeepers who are out foxing, don't repeat that to anyone' [laughs]*

(Anonymous expert, the West Country, interview, 2017).

*'If you're able to access those two social-media [countryside shooting] groups that I mentioned, more often than not there is, 'oh I went out on a new permission [rights to shoot legally on land] tonight, on the pretence of shooting foxes, and then oh look, two Roebuck [deer] happen to come out just before dark'.*

(Professional deer stalker, Deer Society Stalker Level One Accessor, interview, 2017).

*Orlando: 'So do local outlets such as the butchers in [...] have poachers on hand, like hired guns?*

*Expert: Yes, it's completely brazen, because all over his shop window it says 'Wild venison'*

*Orlando: Who is this?*

*Expert: Nicky Belane*

*Orlando: So he's a butcher as well?! [as a 'poacher']*

*Expert: Yeah he's a butcher and his old man was exactly the same. Environmental health has been in and done them dozens of times, they've had raids and all sorts of things, but never really come out with anything concrete enough to do anything.*

(National Trust Head Deer Warden, Game Keeper and Anti-Poaching Patrol, interview, 2017).

The mundane fauna grey game enterprise crimes revealed through the accounts of these multiple respondents exhibits the primary quality of rural enterprise actors committing offences that are ancillary to their legitimate business practices, and does not display the usual characteristics of marauding opportunistic or violent rural criminals, as the following two local experts, introduced earlier, outline. These findings also confirm the assumptions stated in the Food Standards Agency's Annual Strategic Assessment (FSA, 2016: 26, 46).

*'Well hypothetically, say if you had an outlet for the meat, so you're the end seller and you had a shop front, shall we say, and you didn't live a million miles away from the moor, and venison was making good money and you were that way inclined so you enjoyed it anyway...*

*And then you've got these other lads who have been butchers and country lads all their life, and they're out shooting deer just for profit and then you've got other lads who have an obsession with guns and shooting and see it as a way of topping up their income.*

(National Park Head Ranger, interview, 2017).

*'The [place name] syndicate, if we call them that, the [location] gang are not into other rural crime, they're not badger baiting, they're not gambling, they're not heavy drinkers, they're not thieves, it's very much deer only. They're obsessed with shooting deer, there's a kind of sporting obsession with shooting deer at night.*

*They're not drinking at the pub and then going out afterwards, they're doing it seriously, between midnight and three in the morning. The major driver really is, this is an easy way to make money.'*

(Deer welfare expert and vet, Interview, 2017).

The types of crimes being investigated by some rural crime police teams and researched by rural crime research centres share few characteristics with the form of offending being unveiled. Acquisitive rural crimes normally occur when offenders external to the region penetrate a farm property, either to snoop around opportunistically or to purposefully take red diesel supplies, quad bikes, an old Volvo with the keys lazily left in the ignition, or anything else not nailed down. If the crime is opportunist and low-level, these items may be taken and household burglary might be a feature; if it is organised and items are 'taken to order' then a tractor or combine harvester may be stolen. Such cases are often committed by the traveller community, who according to my police force respondents, have a U.K-wide network available to filter stolen goods into and are who able to disappear easily. Sheep and other livestock may also be rustled, due to participants of that culture's deft dog-handling skills. Offences of this sort are often associated with wildlife crimes of hare coursing and less frequently, badger baiting. Hare coursing is a cultural activity, a so-called blood sport of the traveller community, who are devoted to their terrier dogs.

Illicit enterprise actors in the secluded South West do not commit these crimes, because they would essentially be stealing from themselves and those crimes are not ancillary to their routine business activities: the nature of their rural enterprises does not provide a supply chain to dispose of farm machinery in Ireland or sheep in France, but it does enable the un-guarded filtration of illegal deer carcasses into an un(der)-regulated supply chain. The lucrative financial gain from the sale of venison in outlets and from the simple integration of illicitly sourced venison in with legitimate meats are the prevailing characteristics of the offending. The causal power of the motivated offender, who is otherwise a legitimate rural worker or meat outlet owner, is being activated under conditions of direct unimpeded access to commercial meat processes and the exploitation of under-regulated 'grey markets'. Commissioning processes are so firmly embedded in venison and wild game enterprise, that as shown in the two script chapters to follow, they are nearly imperceptible: illegal meats are deeply and expertly integrated with and concealed amongst lawfully sourced product. The following expert highlights the appeal of this type of enterprise offending:

*'Now if you're a businessman and you've got a product, are you going to pay for one that looks the same and tastes the same, but is cheaper than the other? It's cheaper because it hasn't gone through the right processes.*

(Wildlife Crime Police Officer, interview, 2017).

In light of these substantial relations and their ancillary relationship to licit commerce, as discussed above, the mundane fauna crime of 'poaching' in the rural West Country is more precisely presented, not as a 'wildlife crime' but, as a grey game model of 'enterprise crime' (Edwards and Gill, 2002). The authors suggest an appropriate conceptual framework which is, 'directed at the regulation of interdependent licit and illicit markets' and when events become nuanced, slips between legitimate, grey and black-market enterprise' (Edwards and Gill, 2002: 211). This conceptual approach also complements the existing literature on mundane rural crime in Britain, which frames the farmer or rural business operative not as the victim, but as a suspect (Smith, 2004; McElwee et al, 2011; Enticott, 2011; Smith et al, 2013; Somerville et al, 2015). The enterprise framework neatly captures the organisational characteristics of the offending, due to the suspects using their licit commercial activity of countryside careers and meat trading to gain specialist access to deer and to conceal the manner in which illegal meats enter supply-chains (Croall, 2007: 210 & 215; Lord et al, 2017c). The framework was extensively shown in chapter two (2.7) to cohere more appropriately with the localised grey market volume crimes than other traditions, such as corporate or white-collar crime.

An expert respondent confirmed this approach, by noting that 'grey game' thefts of wildlife can be understood as those which are undertaken by industry insiders or countryside custodians. The expert noted that they were the most prevalent form of crimes against deer. Such actors will have shooting permissions for foxes, rabbits or other game, which they use to justify their presence in remote deer-rich lands. They then harvest deer clandestinely amongst their legitimate game keeping activities. The grey game enterprise

concept therefore captures the necessary relations from which offending in this ancillary form is emergent from. Locating deviance amongst rural industry actors such as gamekeepers is not controversial. They are known to systematically persecute protected birds of prey, which naturally predate the 'game' used to generate profit on shooting estates, as a mode of revenue protection (Nurse, 2011: 46; Barkham, 2019a). More recently, these actors have been given custodial sentences for the wildlife crime of badger baiting, exposed for conducting violence towards people, and for routinely dumping farming pollutants in British waterways (Walsey, Harvey and Davis, 2017; Morris, 2018; Giordana, 2019). Various farm employees from the rural West Country are regularly reported to be conducting severe crimes against mundane fauna; a farmer in Devon was jailed for letting a calf starve and 'was caught with a pile of bones, dead animals and sick cattle on his farm in Devon twice in 11 months' (BBC, Devon, 2018). A young farmhand in Somerset 'admitted kicking and punching cows and calves' during his routine work duties (BBC, Somerset, 2017). It is similar actors to these who feature as rural grey game enterprise suspects throughout this research. Notable elite agents of significant power in the Conservative government have also been alleged to have facilitated multiple wildlife crimes in the rural West Country (Dalton, 2019b). The integration of illicit produce amongst lawfully processed items in the food retail industry is also a persistent contemporary problem, as shown by recent research on product misrepresentation in fish and chip retail and supermarket meat supplies (Merwe and Walsey, 2018; Barkham, 2019b). Professional misconduct, regulatory non-compliance and severe animal cruelty cases are also regularly reported in meat processing industries (Animal Aid, 2015, 2017; Walsey, 2017; Davies and Walsey, 2017; Diebelius, 2019).

Understanding the reality of the illegal taking of deer as an under-regulated grey market-based problem shifts thought toward regulation of rogue meat trading processes and commercial enterprises (butchering, buying and selling) and away from 'wildlife crime'. Edwards articulates the strength of the enterprise concept by arguing that, '(i)t accommodates looser partnerships of co-offenders and consequently acknowledges the phenomenon of project crimes arranged by networks of illicit entrepreneurs' (Edwards, 2016: 981).

#### **4.5 The distinction between ‘proper poaching’ and the ‘illegal taking of deer’**

The central attributes that constitute what is largely described as the crime of deer ‘poaching’ by regional stakeholders and is then uncritically reproduced by policy makers and the social sciences orthodoxy, actually point to the reality of a different problem. A problem that is in fact far more pernicious, routine and constitutes high volume criminality. The term poaching is frequently erroneously applied by practitioners (as witnessed by myself in the field during research) and scholars. Real poaching in the UK context is defined as:

*‘Poaching is the taking of game and the attempted taking of game, on any bit of land that the person taking the game, or attempting to take the game, or has taken the game, is not allowed to be on so the definition we use is in the 1828 Poaching Prevention Act’*

(Spokesperson for the National Gamekeepers Organisation, interview, 2017).

The National Wildlife Crime Unit replace the term ‘game’, as used by my respondent, with deer and fish, as the species of concern in their core priority of ‘poaching’ as a wildlife crime and subsume hare coursing under the category, in addition to poaching (NWCU, 2019). This conception of poaching is then reflected by wildlife NGOs and followed by regional police forces. Fundamental social properties that constitute the offence of real or historic poaching are that suspects invade a territory they are external to, unfamiliar with and crucially, do not have permission to be on. This is the antiquated fairy-tale construction of the peasant poacher invading the property of landed gentry, to take ‘one for the pot’. The bygone poacher construction was much derided by many participants of the research. It has been eclipsed by contemporary forms of poaching which also appear as exogenous to the crime site and which are exceptionally villainous. A deer surgeon and animal welfare specialist who regularly gives expert witness statements in wildlife crime court cases stated:

*'In most other places in the country, certainly in East Anglia, the Midlands, the Lake District, the South East, the people who are turning up to take deer illegally, are people who are coming into the area from elsewhere. So we dealt with a lot of long-dog deer coursing in East Anglia, where people would come down from, Peterborough, down from Birmingham and Derby and places like that'.*

(Deer surgeon, veterinary expert, South West, interview, 2017).

Experts revealed that what was being perceived as serious 'deer poaching' in the South West was in fact an erroneous conceptualisation being applied by non-experts who had misinterpreted the nuances of the commissioning process. It was repeatedly reported to me in interviews with expert practitioners with many years of local knowledge, that the real problems blighting the region was not poaching as socio-legally defined. Due to the illicit enterprise activity characteristics of the offending, it can be better interpreted as the 'illegal taking of deer'. A senior level expert practitioner with 30 years' experience of interacting with wildlife crimes applied the following distinction between 'real poaching' and a definition of 'illegal taking':

*'They [real poachers] have neither the permission to be on the land, nor most of them do they have legally held weapons. They were bringing deer down with long-dogs, sometimes at night, but very often at during the day as well.*

*You then have the gangs of poachers who are into all sorts of rural crime as well, if they see a quad bike standing about, they'll half inch that, they'll steal diesel, they'll steal whatever they come across, and also will be after the deer.*

*They're by and large nefarious people, they're criminals. And that was certainly the model that we encountered, and I've encountered, elsewhere.*

*[distinction]*

*The difference in the South West, is that the majority of deer that are 'taken illegally' are taken by local people, who know the ground very well and many of whom are operating on lands where they have permission to shoot.*

*And these people are generally not rural criminals. They're not thieves, they don't steal quad-bikes, they're just out for the deer'.*

(Expert witness and livestock specialist, West Country, interview, 2017).

This unexpected insight and fundamental distinction to explain this type of mundane fauna crime script emitting from the indefensible rural wilderness of the rural West Country was backed up by other notable local experts. The following quote is from the lead of a Rural Crime Initiative and head park ranger:

*'Basically, venison is commanding a premium at the moment and a lot of people that can do, have cashed in on it, so to speak. So we've noticed an increase in poaching on the moor. The type of behaviour they exhibit on the moor is not good and obviously that has an impact on our deer with regard to what they're taking. So that's more the poaching side, which is obviously entering ground and taking without permission, armed trespass, whatever else you want to call it.*

*[Distinction]*

*Now the other thing is, we also suffer with 'illegal shooting of deer' on the moor: I.E, they're night shooting, so that's another thing. They might be on ground they've got permission on, but basically they're lamping [blinding with bright spotlights] these deer and shooting them at night, so that's another thing we're up against.*

(Rural Crime Initiative lead and head National Park Ranger, interview, 2017).

A necessary condition constitutive of the illegal taking phenomenon as indicated by this distinction can therefore be identified as the suspect either owning the land from which they are killing deer or having permission granted to legally enter the land by the lawful owner. They are therefore not poaching from anyone, on that land. Further distinctions are the offender's local origins to the crime site and employment in an industry which facilitates legal firearm ownership and legitimate access to wild game meat commercial activity. These are isolated attributes which are not apparent in the 'real poacher' offender type, who creates transient acquisitive offences inconspicuously and is invariably embedded in underworld structures, not rural commercial ones (Nurse, 2011; Smith, 2011). The phrase 'illegal taking' has been applied previously in seminal theoretical analysis of poaching but is used interchangeably with 'poaching' to denote 'real' poaching offences (Eliason, 2012). The concept being offered as the illegal taking here specifies sets of social relations which criminologically differentiate it from proper poaching (i.e., permissions obtained, property owners, firearms licence holders, local lads). These are they core social properties which generate the illegal taking entity and distinguish it from real poaching.

#### **4.5.a 'Poaching' or 'taking'? Ownership and value**

Further central characteristics of the ontology of illegal taking are that wild deer are both owned, and unowned and are 'valueless' to the majority of rural land owners who allow deer to be illegally taken from their property. Poaching is the taking of wild animals, such as deer and fish, or game, like rabbits or pheasants, from land which the offender does not own, nor have permission from the owner to be on. It is therefore classed as trespass and under the conditions discussed here, generally armed trespass. Trespass can occur on private property, such as estates like Powderham in Devon and farms, but also all public land, such as Exmoor, the New Forest, Dartmoor, The Brecon Beacons or the Peak District, which are owned and managed by an amalgam of local authorities (Teignbridge County Council), national agencies (Natural Resources Wales) wildlife organisations (The Wildlife Trust), or heritage bodies (The

National Trust). The fauna living on these lands are 'owned' by the crown and expressed permission would have to be gained from one of these state agencies before taking them, to preclude the act from being classed as poaching. This applies not only to isolated rural areas, but also to any land, such as a road or grass verge, as all land is owned by some entity. However, it should be recalled that wild animals cannot be 'owned' due the nature of their essence as a wild creature. They become 'owned' by the owner of a property once the animal is dispatched and falls upon it. If the animal is not wild but is livestock, such as sheep or cows, and is taken from farmland, the offence is not poaching, but property theft of domestic animals in which the farmer or owner is the human victim of property theft. Unowned mundane fauna on owned land is therefore a necessary condition of the ontology of proper poaching.

*'Sometimes they are taking deer from other people's land, but with the tacit agreement of the landowner, because far from believing the deer to have a value to them, like pheasant, they are finding the deer to be a nuisance, and they want someone to do something about it'*

(Deer welfare expert, interview, 2017).

As the above quote outlines, the constitution of the definition of 'real poaching' is dependent upon the items being poached having value to the owner. Value is likely to take the form of financial value, but also moral and intrinsic value. The owner of the Powderham Estate in Devon has a plentiful deer farm, cares for the deer, and maintains proper ethical standards of farming them. He and his gamekeepers value the welfare of the deer and gain financial value from the sale of high-quality venison, once they have been humanely slaughtered and properly butchered. Fish are highly valued on angling or private fishing farms, where prices are charged for a day's fishing, as are pheasants to shooting estates who host game-shoots. In these cases, the value of the mundane fauna to the owners is clear. The same cannot be said for wild deer roaming on the rural lands of the West Country. Therefore, a further necessary condition of the illegal taking

concept currently being offered is the deer do not hold any value to the 'owner', or the owner of the land the animal is upon. The 'owner' is often a reluctant one. Therefore, while to commercial farmers of deer, each professionally raised deer might represent £400 in venison product value once it has been sold to supermarkets or an organic artisanal bistro, to the general arable, beef or dairy farmer who value the worth of their crops, sheep and cows, the deer represent at best an encumbrance and at worst a threat to profits. This is a separate concept to the deviant revenue protection (or 'Economic Criminals') model of industry-based wildlife crime offered by Nurse, which can be better understood as a revenue protection crime (2011: 46). Deer are known to decimate saplings and shrubbery, which a farmer might be using to separate livestock. They are also notorious for taking bites out of beets, swedes and other vegetables, which the farmer might be producing as a core commercial activity. In unusual and extreme cases deer have been alleged to spread TB. It is thus unsurprising that 'unowned' deer, unlike those reared professionally on deer farms are perceived as problematic rather than prized. This categorical distinction between the two mundane fauna deer crimes of what we might now term 'proper poaching' and 'illegal taking' was explained to me by a livestock welfare expert and deer surgeon in the following terms:

*Orlando: 'Does the nub of that distinction [between 'poacher' and 'illegal taker'] come down to the farmers being aware and complicit in their actions?*

*Expert: No, I think the nub of the distinction comes down to the value of the game being taken and the compliance of the landowner.*

*If you're poaching grouse, or pheasant or hare or if you're poaching in a National Trust deer park or you're poaching deer in Richmond park or Powderham castle, they are 'poaching', because those deer belong to the Earl of Devon, who values them and those are people who have no business being there, they've entered illegally and it would be armed trespass, which is a separate offence.*

*If on the other hand a farmer has a problem with deer and he says I'm fed up with these deer trashing my silage crop or I'm fed up of these deer pulling up my fodder beets and taking one bite out of it and moving onto the next, will you come and do something about it, those deer have no value to him and he's complicit in the illegal shooting'.*

(local deer expert, South West, interview, 2017).

In the eyes of the law, the landowners and farmers who own the land which a deer falls on, also 'own' or have the rights to take the animal. This anthropocentric technicality is stipulated in the Night Poaching Act 1828, the Game Act 1831 and the Deer Act 1991. While the deer is legally owned by the landowner, to the common landowner (without access to production facilities to transform the animal into financial profit) it remains property without value or purpose and therefore essentially worthless. A valueless item which can potentially threaten a land-owner's business is unlikely to be worthy of protection. An unprotected, unowned and 'worthless' wild animal cannot be poached, due to it having no value to the landowner. The condition of deer being 'valueless' to most landowners can be seen as necessary for the constitution of the 'likely victims' routine activity relation, while also leading to a more compelling explanation for the absence of capable guardianship. Why guard something which is regarded as worthless to the majority and a pest to many countryside custodians? The legalistic dimensions of the illegal taking of deer then, are bound up with the pursuit and killing of deer at night, the misuse of certain calibre firearms and shooting deer out of season (when they are protected). All of which are infractions of the Deer Act 1991.

#### **4.6 Reasons to illegally take deer: Instrumental and expressive motivations of grey game enterprise offenders according to experts**

*'So it is a free-for-all, generated by demand and by the kind of sporting, out of hours' hobby by the local farming and rural community'.*

(Deer welfare expert, veterinary surgeon, Devon, interview, 2017).

*'Their aim is purely to make some money from the venison'.*

(Rural Crime Initiative Lead and Head National Park Ranger, interview, 2017).

The discussion in this subsection draws not from the accounts of offenders themselves, indeed none were interviewed for the reasons stated in the methodology chapter, but from the interpretations and knowledge of those involved with them. Due to the revelation revealed by expert respondents, that suspects embody the material relation of illicit enterprise actors, in their occupational positions, crimes can be designated as instrumentally rational acts. Proponents of the realist social relations note that offenders' motivations or dispositions can be identified as 'instrumental' or 'expressive' (Hayward and Young, 2004: 367; Edwards, 2016: 988 foot note 5 & 993-994). This is an important distinction for recognising the agency of routinised social relations and prevents explanations from reducing accounts either to proximal, situated activities, or to distal, structural accounts. Instrumentally rational offenders subordinate the risk of apprehension by responsible authorities to the financial rewards found in the lucrative venison industry (Cornish and Clarke, 1987; Von Essen, et al, 2014: 634). Here, mundane fauna is plundered for monetary profit by illicitly processing carcasses into lucrative grey market supply chains (Smith, 2004; Wyatt, 2016). Expert respondents in this study understand the instrumental rationality of those illegally taking deer and poaching in the following terms:

*'Well there's an easy answer to all of it, which I'm sure you've heard from other people, and that is; purely financial.*

*Long gone are the days of John Smith going out from down the road and taking something for the pot, it's gone completely way beyond that'.*

(Deer Stalker and Deer Society Level One Accessor, interview, 2017).

*Orlando: 'And the motivation for feeding these carcasses into the illicit venison industry is purely profit driven, would you say?*

*Expert: Yes I would, now. There was a few years ago when I would have said no. But yeah, I certainly would. When the farmer went around and caught these lads that I was telling you about, they had four carcasses that were in the back of a pick-up and they had more in the back of a buggy, but he couldn't see in the back of it.*

*So even if they only had one in there, that's five. So, a carcass like that, let's say if they were stag carcasses, they would be getting from the game dealer about £150-£160 a carcass, something like that I would have thought.*

*Plus they've got their heads, you know and you boil out the head and mount them, you've got a set of antlers you can sell for between £100 and £400'.*

(National Park Head Ranger, interview, 2017).

While indeed almost all of the expert respondents interviewed expressed that significant financial gain was the prevailing reason why deer were being taken from the wilderness of the secluded South West, some respondents who lived in the thick of the region and personally knew the poacher suspects, submitted alternative accounts of motivations for illegally taking deer. They suggested that offenders liked to run rings around the under-resourced guardians, in a cat and mouse scenario, safe in the knowledge that there are no real consequences to their actions, due to the severe paucity of resources and

punitive responses available. They also thrived on the thrill of the chase when in hot pursuit of deer during over-night escapades in the indefensible rural wilderness. Experts were quick to point out that the offenders did not partake in sadistic acts of cruelty, such as those associated with badger digging and bating, but enjoyed hunting the deer (which they would later profit from) as a 'sport'. Mundane fauna crime dispositions do exhibit such traits as harming non-human animals for the sadistic gratification, or seductive 'thrill of it', but are not emergent in the enterprise scripts featured in this research (Katz, 1988, Eliason, 2012: 75, Braden, 2014; Smith, 2011).

Therefore, while acts of instrumental rationality are to be inferred from the accounts of experts as the primary disposition for the illegal taking of deer, in some instances a secondary trait can be located in expressive moments, or other 'notes on the script' (Hayward and Young, 2004). Expressive deviants subordinate the risk of apprehension to the adrenaline-imbued thrill of the experiential moment. In their typical form, they derive gratuitous pleasure from cruel so-called blood sports, such as hare coursing, fox hunting, badger baiting and dog fighting (Smith, 2011; Nurse, 2011; Wellsmith, 2011, Wyatt, 2016). While the thrill of pursuing deer was noted by respondents, the expressive rationale displayed by illegal takers is more associated with elevating social status and increasing personal prestige from within a subterranean rural norm circle (Nurse, 2011; Eliason, 2012; Elder-Vass, 2012: 122). Offenders were reported by my experts to be expressively taking deer to enhance their perceived social ranking within their sub-cultural rural syndicates. Owning a 'patch' (repeatedly plundering from one area) and being the suspect who got away with taking the most deer undetected in one night, was said by respondents to be bragged about online and in the local pubs. It is shown later that hunters are also in competition with each other and consequently they closely guard the locations of their lucrative hunting grounds. A by-product of which was cited by my respondents for why hunters deliberately omit details from hunter declaration tags, which are supposed to be sent with a carcass through the supply chain process. This will be elaborated in the following script chapters.

However, in the case of the secluded South West, these expressive dispositional characteristics would vanish, and the deer would be left alone to frolic if suddenly venison became an undesirable and non-consumable item from which lucrative financial profit could not be instrumentally extracted. Motivations for the poaching and illegal taking of deer embedded in instrumental and expressive dispositions, inferred from the interpretations of capable guardians, can be ranked in the order of first profit, then pleasure, and finally prestige. The mundane fauna crime of hare coursing, where the objective is to have the fittest, fastest and most able dog which 'turns' the hare the most amount of times before dispatching it, can be said to have motivations ranked in the exact reverse order just stated. Coursers enhance status by owning the most capable dog, derive pleasure from the so-called blood-sport which is sub-cultural shared social experience embedded in the traditional traveller community heritage, and finally extract profit from gambling on coursing events and also from trading the dogs (Chief Inspector of Hare Coursing Operation Galileo, interview, 2017).

The following extended quote from an expert respondent with over 40 years professional experience of responding to poaching offences, encapsulates the motivational hierarchy of primary instrumental and secondary expressive dispositions, for poaching and the illegal taking of deer. The quote which follows the one directly below is a strong example of the blending of instrumental and expressive dispositions:

*'We know two local farmers sons in their mid-twenties who earn a good living by killing deer at night, if you're shooting 200 deer and you're selling them for £150 each, you've got a cash income of thirty thousand. These lads aren't working, they're not working on their father's farms, they might do a bit of contracting in the silage season, or possibly a little bit of sheep shearing, but their main income is the illegal taking of deer across Devon.*

*Some of them are game keepers, some of them are kind of neer'-do-wells from the housing estates, but they're not the sort of rough traveller community. In East England we have a lot of poaching from the travellers and they would, if*

*they weren't taking deer, they would take anything else. But in the South West it's almost a sort of hobbies sport for these people...*

(Deer welfare expert, veterinary surgeon, Devon, interview, 2017).

An expert wildlife crime police officer with a decade of experience of responding to poaching in the region described the fusion of instrumental and expressive dispositions for offending to me:

*Expert: End product, up to £500 a carcass, you're looking at steaks, burgers, sausages and everything else that goes with it.*

*Orlando: Pretty easy to make two-grand in a night? Three or Four?*

*Expert: Yeah, especially if you're the end user [the retailer, not dispatcher or wholesaler], so if [key suspect and butcher owner] Belane bought a carcass, Belane might pay £3 a kilo, from an animal that weighs 80kilos. So the person who shot it is in profit, he's going to double his profits, easily.*

*So he [Belane] doesn't have to do it himself. He enjoys it, but he wants the money. There's a network of people who are trusted to bring it in, like Fagin, as it were, to bring in whatever they can get for him. He might say 'I need some, I'm running a bit low'...*

*The meat industry is a murky world, but that's why it's being taken, because it's a commodity and that's how you turn that commodity into cash. It's got to transform into something to make money, so that's why that's there.*

*And it's not rocket science to work out why they're doing it; they're doing it because they enjoy doing it, just killing things or they're going to make some money out of it.*

(Wildlife Crime Officer, anti-poaching Operation Nero lead officer, interview, 2017).

These expert accounts highlight the unity of motivations for illegally taking deer, which according to them, are the significant reasons why the offending takes place in the South West.

#### **4.7 Introducing the concept of ‘mundane fauna crime’**

It was argued in the literature review that the majority of the existing literature on offences against non-human animals focuses on crimes against megafauna (Wyatt, 2013; South and Brisman, 2018). Such analysis illuminates very little of the nocturnal chicanery routinised in the British countryside and even less of the unique characteristics emergent from illicit enterprise activity of the rural West Country. The same general and capacious concept of ‘wildlife crime’ is used to describe an eclectic array of tenuously linked offences against non-human species. The industry malpractice of rogue meat enterprise owners in Devon will potentially be treated with the same explanatory tool as bear bile extraction in Pakistan or the commercial poaching of elephants using automatic firearms in Somalia. Subsuming these diverse entities under one nebulous category is problematic for the aims of accurate social science (Sayer, 1998: 127; Edwards, 2016: 253).

The findings of this research show that wildlife crime can therefore be interpreted as a ‘kitchen-sink’ concept, with little analytical value to the current problem. It is an unhelpful expression constructed by policy makers for furtherment of agendas (e.g, Rawlinson, 2017). These findings underscore that, interrogating bird egg theft in Dorset with the same framework as Rhino poaching in Kenya is shoddy social science. Understanding the latter as a consequence of misguided medicinal theory (that powdered rhino horn cures cancer or other ailments) and a poorly educated populous, the ‘wildlife crime’ of rhino poaching can be better dealt with as a regional cultural problem emergent from historically embedded political economy. Likewise, the distinct offences of hare coursing, livestock rustling, badger baiting and illegal taking of deer, are more precisely understood as their own sets of relations. They are more

amenable to accurate analysis under the concept of mundane fauna deviance than they are within the ontologically fragmented idea of wildlife crime.

As a means of disambiguating the offences of deer poaching and illegal taking of deer from the tenuously related diversity of offences that constitute the 'wildlife crime' concept, the original contribution of the concept of 'mundane fauna' is offered here. The concept of mundane fauna seeks to precisely signify a substantial relation and not be burdened by the formal associations bound up with the chaotic concept of 'wildlife crime'. The grand concept of wildlife crime is carelessly produced by policy entrepreneurs with little insight nor sensitivity for its antecedents and capacities (Rawlinson, 2017; Laville, 2018). The charismatic and iconic 'mega', tends to overshadow the timid and more common 'mundane'. The endangered, exotic and photogenic can be contrasted against the abundant, familiar yet rarely seen and often regarded as a pest. The original concept offered seeks to address this imbalance and disproportional representation of particular ('mega') species in green and rural criminology, the social sciences in general and public policy discourse.

#### **4.8 Mundane fauna as 'likely victims'**

The victims of mundane fauna crimes are emblematic of the 'suitable victim' social relation: deer, lambs and fox cubs are so vulnerable that they are entrenched symbols of weak, defenceless creatures. From the popular cultural artefact of Walt Disney's *Bambi*, which is a fictional deer and features an equally vulnerable 'Thumper' (the rabbit), to the modern popular cinema of the film *Babe* (a pig), to high street chain John Lewis using foxes jumping for joy on a child's trampoline as their Christmas 2016 British television advertisement – all are examples of an anthropocentric perception of mundane fauna as meek, docile and domesticated. Contrasted against the real strength and constructed symbolism of the lion, tiger and bear, the differences between the 'mega' and 'mundane' are stark. The built, unnatural environment enclosing some mundane fauna produces problematic artificial situational restrictions for the likely victims: captive livestock are (taken from) within enclosed fields, thus

preventing any chance of escape for the suitable victim. Here the situational crime prevention tropes of bigger fences and stronger gates work against the victim, to imprison an animal and facilitate its simple rustling. Likewise, some deer on Exmoor have been conditioned toward domestication by the expanding presence of human pressures in the area, such as friendly local dog walkers, vast swathes of tourists in the summer months visiting the beauty spot and the ever-encroaching footprint of human habitation in the form of new housing developments rippling into the fauna's bio-diversity. These unnatural contexts and social processes therefore inhibit any innate instinct in the animal to cautiously avoid human contact, thus facilitating the conditions for their capture. This research highlights the importance of emphasising a new category of fauna, to contribute to the animal's protection from grey game enterprise criminals. As the following expert stated during a conversation about a specific offender's behaviour, the management of deer herds and their healthy reproduction in a physically bounded region is being undermined. The routine targeting of deer in the secluded South West could culminate in a regional micro-extinction level event:

*'Those animals don't mate until sort of July time, so those twenty-seven aren't going to get that chance to mate, are they? So not only is it twenty-seven that aren't there, it's twenty-seven that haven't been able to mate. So that's potentially hundreds of deer that aren't being born.*

*So it rolls on into the decline of a wild animal in a very specific location in a very small area of the country. And he's only one person, and he's now opening the door to other people to do the same thing, all with the same end goal of financial gain'.*

(Deer Stalker and British Deer Society Assessor, Interview, 2017).

A further contributing tendency toward the production of mundane fauna as 'likely victims' has emerged from my research. According to many wildlife defenders, the offence is seen as a 'victimless crime':

*'There is a celebration in what wildlife we have [in Britain], but what we're not good at is comparing it to those exotic species.*

*For some reason its seen; 'is that really a real crime?' There's this mentality around it not being a real crime. That social aspect needs to change.*

(Wildlife Crime Police Officer, the South West, interview, 2017).

Due to the definition of a wild animal being nobody's property (or responsibility), individuals are disincentivised to protect or care for the victim in the way they might if it was under their ownership, be it a car, or dog, or a child. The persecution of a wild animal does not impinge on individual private property and there is no personal financial loss. The loss is therefore felt by no one person and there is no perceived economic incentive to protect the animal. This insight was highlighted by a local expert:

*Orlando: 'Does livestock theft get more attention than wildlife poaching because of the monetary value of the stock and power of various groups, like the NFU?*

*Expert: Yeah, and the attitude seems to be, it doesn't belong to anyone and therefore it doesn't matter...*

*If you see a butchered sheep or something, I think, because we do [enforce statutory compliance in] farming, you say 'what's happened here?' But dumped deer parts, you think, oh somebody's had them, it's just fly tipping really. But when it's livestock, obviously we jump up and down a little bit more.*

*It's a bit like going back to elephant poaching I suppose, slightly different, but some of the farmers aren't bothered by the poachers, because the elephants come and destroy their crops, deer come in and destroy crops, they'll strip a field, you'll see when they've been in and eaten crops or the amount of grass they'll consume, so they'll say 'doesn't bother me if they're gone'.*

(Trading Standards Animal Welfare Officer and National Crime Agency Financial Investigator, interview, 2017).

Offenders are reported to believe they aren't harming anyone and why should anyone care. Under the socio-economic conditions of severe austerity, in relatively economically disadvantaged rural regions and indeed where much of the countryside community is desensitised to the killing of wildlife, in the form of pest-control, culling, or so-called blood sports, such moral duty is unsurprisingly met with indifference. Whilst at the same time there are major incentives for the illegal taking of deer, for which there is a significant market with very high profit margins, thus compelling the instrumentally rational offenders. The construction of 'victimless' suitable victims is a classic example of the anthropocentric model of environmental harm, which suggests the natural environment exists solely to satisfy the instrumental demands of the human species (Carter, 2001: 35; White, 2008: 12-15; South, 2015).

#### **4.9 The indefensible rural wilderness: Terrain where routine grey game enterprise activities converge**

Crimes against mundane fauna tend to occur in the natural habitats characterised by remoteness to human activity. Natural biodiversity is unchanging in the face of socially constructed interpretations of it and as such provides the material conditions for mundane fauna crimes. Such natural remoteness may be characterised by its dislocation from centres of commerce, its physical isolation from human population density, in the form of scant dwellings and ultimately its unbuilt wildness. The moorland that Red Deer graze upon in the secluded South West, such as Exmoor, in North Devon, is 250sq miles of dense forest, desolate hillsides and boggy valleys. Natural habitats such as this are highly isolated, underpopulated and inhospitable to humans: regions can therefore be defined as an 'indefensible rural wilderness'. Organising situational crime preventers to disrupt deer poaching in these proximal settings is therefore problematic. The 250sq mile national park is enveloped by a further 500sq miles

of rurality. Such wilderness and terrain are especially inhospitable during the long dark winter months, when many wildlife crimes occur, due to the exodus of tourists, hostile climate and barren landscapes. The terrain can be more inhospitable to humans who have little experience traversing it and only a vague understanding of its ecology and topography, its delights and dangers. Expert formal guardians, such as specialist wildlife police officers and other professional regulatory agencies do not invariably hail from these wildernesses: a wildlife crime officer working in a region definable by these physical features, who I interviewed extensively, is from London; the National Wildlife Crime Unit is based in Livingston, 15 miles from Edinburgh; the National Food Crime Unit is based in Central London.

However, deer are illegally taken by suspects who are born and raised in the area, with long lineages to the region. It can be said that due to the offender's intergenerational attachments to the land, the natural environment is less inhospitable to them than to a guardian originating from elsewhere. The physical conditions thus make an indefensible rural wilderness even harder to defend, or they incapacitate a once capable guardian. The concept of an indefensible rural wilderness offered here is an original contribution to the literature. The model can be seen as an adaptation of Oscar Newman's concept 'Defensible Space' (Newman, 1972). The traditional defensible space concept suggests inhabitants of a space, such as a street, neighbourhood or town, form symbolic attachments to 'their' terrain. Such attachments rouse sentiments of territoriality, whereby locals seek to guard the space from others and external threats. The concept argues that those with a physical stake in an area will care for it, police it and report strangers. I have inverted this formula for the analysis of mundane fauna crime in the South West: there, it is the inhabitants who plunder the deer. It is the locals, with intergenerational lineage and firm stakes in the area, who systematically persecute stag and other wildlife. Those with attachments to the region appear to demonstrate their sense of territoriality not by protecting the space, as Newman contends, but by exploiting it. The threat is internal, not external to the area. In the regions under research it is the guardians, reporters and researchers who are the external actors. Therefore, it is the 'strangers',

others and externalities who are attempting to guard the region from its own inhabitants.

A further contribution to the new model being offered here is its congruity with a crucial component of the original concept of defensible space and how the situational environment enables offending. It has been argued that the way space is physically designed, built and bounded is of critical importance (Newman, 1972). Clear distinctions between private and public land makes a positive impact to the reduction of threats, as does the minimisation of 'confused space' (Newman, 1972; Rock, 2014: 57). Exmoor is a patchwork of dense forest, boggy valleys, park land, nature reserves, farms and ancient dwellings. It is a mixture of natural and built environments which has developed over centuries during differentiated socio-cultural milieu, not from an architect's office. The area is (dis)connected by confusing and outdated one lane country roads, which enable quick getaways for those with experience of them, but hinder pursuit for those without. Moreover, due to the vast expanses of moorland and countryside with a rich history, the ownership of land is not clearly demarcated. From my own experience of walking in the area, one moment you are standing on National Park owned land, then National Trust land, then South West Wildlife land, then private land with a public right of way, then unwittingly within the borders of a vast 'garden' of a private country estate. Furthermore, this element of confused space has serious outcomes for the legalities of hunting or poaching of deer. It is legal to shoot deer (during day light hours, season permitting) on one's own property or with permission of the landowner. Therefore, criminal acts are separated from legal ones by invisible interlocking property boundaries, on harsh unbuilt terrain.

#### **4.10 Muting the signal: Anthropocentric subordination of eco-centric imperatives**

The concept of a signal-less event is an explanatory tool for the analysis of the de-prioritisation of vulnerable fauna which constitute the suitable victim necessary relation. This then contributes to a more holistic explanation of why

guardians are absent. Throughout the research, expert wildlife practitioners reported that mundane fauna offences are perceived as 'victimless' by human communities, due to the anthropocentric perception of the conception of 'the victim' (White, 2008).

*'Until there's a change in culture of understanding what rural and wildlife crime is, we're always going to be playing second fiddle to everything else.'*

(Wildlife Crime Police Officer, South West, interview, 2017).

*Expert: 'Every time that [Environmental Health Officer in Cornwall] goes to his immediate bosses about a poaching or a traceability issue regarding venison, they're not very interested, at all...*

*Because they've got far more concerns about restaurants in Newquay.*

*Orlando: It seems like it's the lowest of low priorities?*

*Expert: Entirely, it's very, very easily side-stepped and very easily forgotten about, which is why it's so prevalent'.*

(Countryside Manager and Deer Society Level One Accessor, Interview, 2017).

Deer and lambs are unable to verbally communicate to capable guardians, through the medium of spoken language, that they require protection or are in danger. They do not come into contact during their daily routines with parents, teachers or social workers. Many of the nominal countryside caretakers that they come in to contact with, will seek to illegally take them. They cannot phone the police, a domestic abuse charity, or the RSPCA. In this respect, it is not difficult to see how wildlife offences are problematically socially produced as 'victimless' and institutionally deprioritised by regional police managers and national policy makers. Deer are invisible to most of us, whether as victims splayed in a ditch or unharmed, poised in a thicket. Consequently, they are deemed of low-priority status in contrast to epoch defining signal crimes.

The concept of Signal Crimes was created by Martin Innes to suggest that 'collective perceptions of risk' are shaped by 'social visibility' (Innes, 2004: 352). Elusive and timid mundane fauna being depredated in the shadows of the rural wilderness on a bleak January night meet neither of these analytic criteria. The invisibility of the classical mundane fauna victim to most of us, be it bats in a belfry, fish darting amongst the shimmers produced by the cascade of a waterfall, or badgers deep in their setts, miles from our high streets, combines with the removal of a human victim and renders potential signals dormant. From a signal crime perspective, Innes argues crime and disorder only becomes recognised as problematic to people when they feel under threat from the offences (Innes, 2004: 336). Contemporary signal crimes might include Jihadist terrorism, child sexual exploitation, cyber or digital crime and knife related killing in urban centres. These problems have task forces dedicated to their disruption and significant funding. The victims of these problems are humans and the regions most at risk can be said to be urban areas. No communal anxiety is produced amongst human inhabitants of a rural town if a badger or a fox is seen dead at the side of the road, or a deer spotted motionless in a field: the threat to wildlife does not translate to threats to children walking home from school. Due to a lack of 'normative signal' being transmitted, scant panic is produced within the community and their potential fury at policy makers and police bosses to address the injustice remains inactivated. Therefore, the budget starved absent enforcement agencies will feel unobligated to divert dwindling resources to respond to mundane fauna problems, which are of no concern to the local community (especially during austerity and Brexit anxieties). These conditions thus render the illegal taking of deer a low-priority issue. The contingent effects of this social construction of crime imperatives, which ultimately sees eco-centric imperatives subordinated to anthropocentric ones, are discussed at length in chapter 7. That penultimate chapter shows that when the signal-less perceptions of offending combines with the political economic determinations of threat, harm, vulnerability policing models and rural 'abandonment', capable guardianship is rendered entirely absent. So called 'victimless' mundane fauna crimes therefore can be said to produce 'invisible' victims of 'signal-less' events,

which represent no threat to local human communities. This is due to a lack of human victim and the anthropocentric interpretations of normalised rural life.

Manifestations emergent from the combined determinations of signal-less offending are evident in crime and environmental policy in the South West. A recently launched crime prevention initiative on Dartmoor in Devon is focusing on untaxed vehicles, managing road closures, illegal encampments and speeding on the moors. The initiative makes no mention of wildlife or eco-centric crimes. Policy makers of the same police force have recently contended that the Badger Act should be temporarily suspended, during the badger cull. These conditions are expanded on and interrogated in chapter 7. This policy prioritisation significantly subordinates the care of a regularly persecuted type of mundane fauna to the requirements of anthropocentric and profited motivated interests. During the same period, the financial interests of gamekeepers and shooting estates has been shown to have been privileged by government policy over care for the health of British wildlife. A report shows that licenses have been issued to rural workers, by Natural England, to kill over 70 species of British birds including, 'peregrine falcons, barn owls, buzzards and red kites, alongside garden favourites such as robins, blackbirds and blue tits' (Carrington et al, 2019). The licence has legalised the destruction of over 170,000 birds, many species of which are protected, and their nests and eggs destroyed. The justification for the culls is to ostensibly protect the revenues of shooting estates and other rural interests. These pernicious processes are enabled in the rural region being researched because they are perceived as acceptable, due to their signal-less status, whereby eco-centric needs are subordinated to anthropocentric requirements. The spokesperson for a megafauna NGO describes eco-centric problems as 'never being on anyone's agenda' (Dalton, 2019). A final example of the tendency for responses to eco-centric imperatives being subordinated to anthropocentric ones, is captured in a press-release by Devon and Cornwall police force, posted on the forces Facebook page at midday on 18/03/2019. The post suggests that in response to three privately owned beach huts being broken into in a popular beach resort in Devon, the force helicopter, police dogs and multiple vehicle response units were mobilised. The following quote from a wildlife crime

responder suggests the feelings around mundane fauna crimes being perceived as signal-less events:

*'If I went out at night and took 100 car radios, the boss would go mad, if you went and took 50 sheep it doesn't even make the news, well why? Similar sort of money. If I go out at night in a busy town with a shotgun and walk through your garden and steal you gnome and you see me and I say 'what are you gonna do about it?!' And I walk off, you would be livid and hopefully the whole police force would turn up with a helicopter!*

*If that happens in the countryside and they phoned up the call handler, what response are they going to get? [long silent pause] Well what's the difference?! It's still your land, still your back garden.'*

(Wildlife Crime Police Officer, South West, interview, 2017).

Crimes against mundane fauna elsewhere in Britain do cause signal events, because of their impact on human communities, not the non-human victims of the crimes. The public outcry caused by hare coursing in the Midlands and East of the UK produces a signal crime. In turn, that signal produces the contingent effect of heavy resource investment into combating hare coursing (Brown, 2018). In Lincolnshire, Operation Galileo deploys vehicle registration checking systems on the local road networks to intercept suspects, uses drones as surveillance devices in the region and seizes dogs used to course hare. Derby police force has invested in over 30 trained specialist WCO's, because the local rural community felt under threat from hare coursers. A senior respondent opined during an interview for this research that the reason for such intensive resource allocation to combat hare coursing was the extreme public reaction to the impacts of the offending on rural human communities and their properties. Crops, fences, buildings and vehicles were regularly damaged as the coursers brazenly trespassed on fields to participate in the illegal events. If confronted by a farmer or landowner, the coursers, who are sometimes in groups of over 50 strong, respond with violence and intimidation. Police operations to disrupt and prevent

the problem have halved the occurrences of hare coursing from 1175 reported instances in 2017/2018, to 686 in 2018/2019 (BBC Lincolnshire, 2019). Over 100 dogs used to course have also been confiscated by police. Signal crimes against human victims associated with hare coursing were being responded to, not wildlife crimes. The illegal taking of deer in the South West provokes no resonating response from the public at large, because no people or property are targeted or harmed, so the potential signal is muted. No dogs have been seized, firearms licences revoked, or statistics even compiled by local agencies.

A co-determining ideational feature of the signal-less condition is that many mundane fauna crimes are crimes commissioned by high-status individuals. Hunting syndicates convicted in court over infractions of the Hunting Act count former Prime Minister David Cameron amongst their members, while other senior members of the Tory party are also identified as being associated with organised wildlife crime (Davies, 2012; Black, 2019; Dalton, 2019b). The policy initiatives of both DEFRA and Natural England have been shown to cause harms and deaths to wildlife, in this section and the literature review chapter identified the British monarchy's associations with wildlife crimes of the powerful. These associations contribute to the diminishment of the importance of crimes against mundane fauna in rural regions, to a signal-less status, because they are being legitimised as culturally acceptable practice by rural stakeholders, policy entrepreneurs and elites. This expert emphasises the consequences of these issues on mundane fauna guardianship:

*'So what we need to look at is recognition that it is a crime, as much as any other type of crime. That the recognition is taken seriously as other types of criminality'*

(Wildlife Crime Police Officer, the West Country, interview, 2017).

#### **4.11 Conclusion**

The substantial social relations identified in this chapter can be regarded as the 'essential requirements' for the emergence of the illegal taking of deer as grey game enterprise activity, in the secluded South West. The substantial relations, or necessary conditions, identified in this chapter were the convergence of motivated offenders, likely victims and an absence of capable guardians. The traditional RAT template was augmented with a realist social relations framework, to adequately account for a variety of unconventional criminogenic factors that RAT is incapable of explaining in its unmodified form. The social relations synthesis also releases our gaze from unnecessarily focusing on the situational settings of the drama and inserts the backdrops to the scripted scenes which follow this chapter. This move facilitated the registering of commercial, or 'grey game' enterprise actors as the main suspects of illegally taking deer, due to the occupational positions of suspects, instead of the usual suspects and an unorthodox guardian/offender configurations. Land usage rights, antiquated legislation and local economies demarcated the distinction between real poaching and illegal taking of deer. Due to the primary substantial relation being one of 'enterprise', instrumental rationalities were identified as the core disposition of offenders, according to experts. However, it was also noted that offenders enjoy the thrill of the chase, enhancing perceived social status or symbolic capital amongst fellow offenders and evading capture by the few remaining expert guardians. Expressive irrationalities were therefore identified as secondary dispositions conducive to commissioning offences.

The concept of the illegal taking of deer was offered as a more accurate term to better explain the social relations of the offending emergent from the context of the rural West Country. It replaced the outdated and imprecise terminology of 'poaching'. This adaptation occurred from within the framework of mundane fauna crime. The approach is offered here as an original contribution to the literature, to replace the nebulous and chaotic concept of 'wildlife crime'. The indefensible rural wilderness concept was offered to theorise the material conditions from which the unique form of offending of 'illegal taking' emerges in the secluded South West. The concept also provided the proximal settings, and

the characteristics of the physical terrain, on which motivated enterprise offenders' access suitable targets, in an absence of capable enforcement. This concept alludes to a perilous and semi-impenetrable crime 'hot-spot' where deer are illegally taken from. A 'hot-spot' that is not a carpark or street corner, but a moorland that is 250sq miles at a minimum, and much, much vaster when the surrounding rural (and coastal) region is taken into consideration. The signal-less crime concept depicted mundane fauna deviance as a deprioritised event, with an invisible victim, often regarded as a quintessential pest in need of culling or its depredation bound up with power relations. This acute anthropocentric perception generates no transferable threat to human communities in rural regions, or mutes the signal, and consequently does not receive the attention nor resources required to prevent offending. These social relations are the indispensable components for the mundane fauna crime of the illegal taking of deer to emerge from the grey game industries of the secluded South West. How they coincide and combine in dynamic, context-dependent ways, is discussed in the following two chapters on the scripted organisational characteristics of illegal taking of deer and the illicit processing of venison.

## Chapter Five

### The Illegal Taking of Deer Crime Script

#### 5.1 Introduction

This chapter discusses the organisational characteristics of the illegal taking of deer in the rural West Country. It analyses the causal powers of motivated offenders and reports the stages of the commissioning process at each turn of the script. The chapter elucidates the strategies and techniques used by illicit enterprise actors to achieve the outcomes of illegal taking. It employs a critical realist ontology by differentiating agency and structure, in the illegal taking of deer, as a means of better understanding their interrelationship (Archer, 1995). This approach is cognizant of the model of social relations script analysis being forwarded, which itself necessitates a problematisation of the blurring between offender and guardian (Edwards and Levi, 2008; Edwards, 2016). This chapter and the one to follow elucidate offender agency: the strategies suspects use to accomplish the killing and taking of deer from indefensible rural wilderness of the secluded South West. The chapter is focused on the immediate situational settings of the scripts, or their proximal conditions. The chapter prior to this one (4) and the penultimate (7) discuss the surrounding, distal conditions, from which the activities in this chapter are emergent.

The chapter follows the paths of the crime script diagrams provided at the start of the chapter, which directly following this introduction, and discusses each 'act' and 'scene', as per the sequence of events constituting the commissioning process (Edwards, 2016). However, the model of proximal analysis in the script is not wedded to the atomizing, or individualistic and positivist ontology of rational choice scripts, because it acknowledges the steps of the commissioning process as historically and socially conditioned. An example of this includes family lineages in the rural community providing opportunity to access deer rich lands, as well as countryside cultural traditions normalising mundane fauna persecution. The chapter is organised in terms of the

crime commissioning processes visualised in the flow chart diagrams. These diagrams should be consulted in conjunction with the narrative of the chapter. The scripts for both offender types are broken into illegal taking and illicit processing dimensions, the former of which this chapter focuses on. Should you wish to follow the combined script in its entirety, please consult the appendix. The subsequent chapter continues from the point in the script at which this chapter concludes: as the deer begins its transformation from wild mundane fauna, to processed carcass, to lucrative venison commodity.

### MEAT ENTERPRISE OWNERS ILLEGAL TAKING SCRIPT

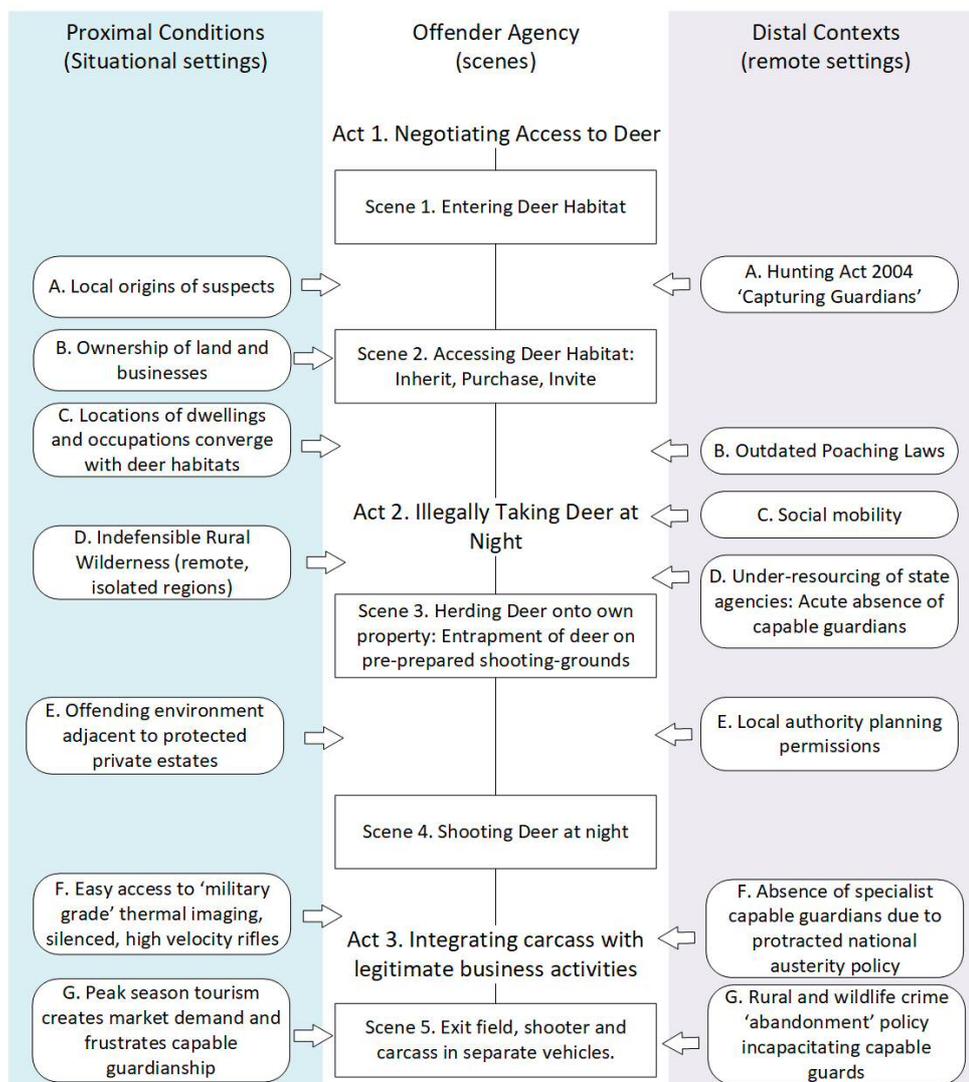
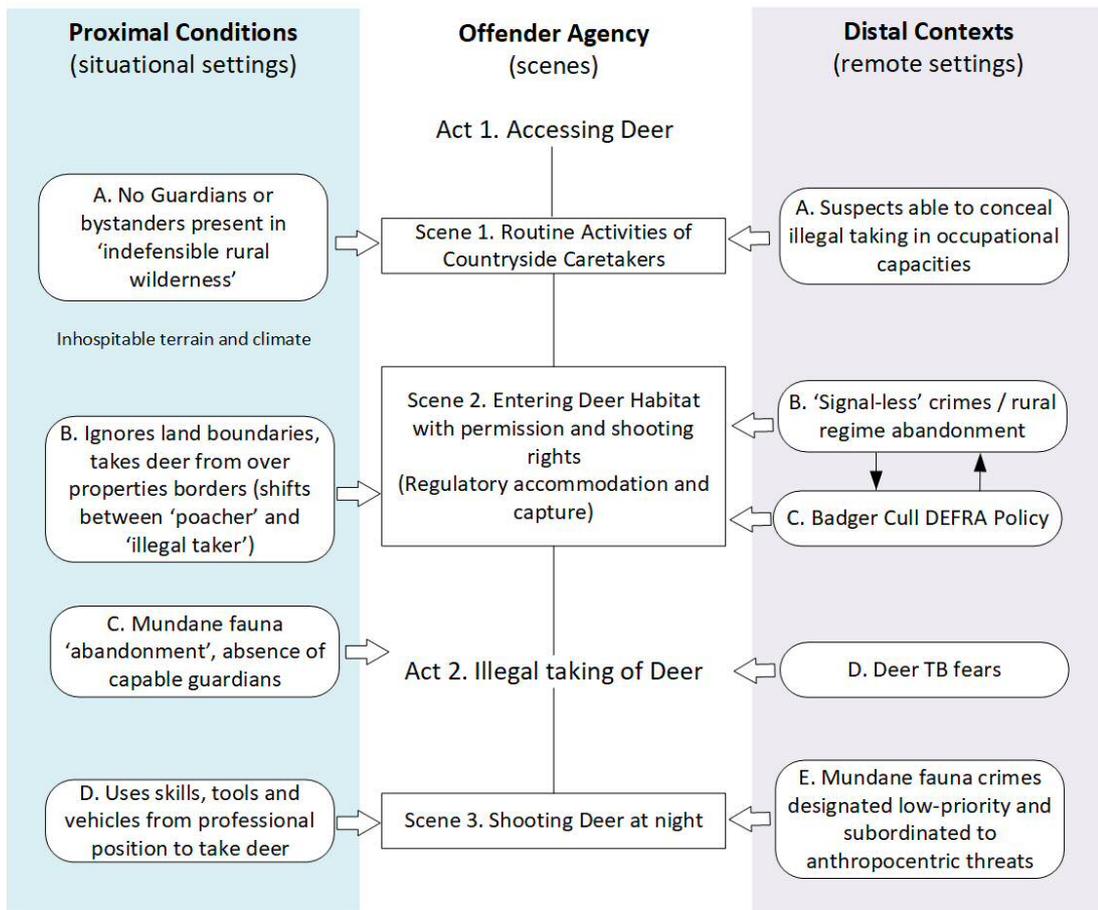


Figure 2

## COUNTRYSIDE CAREERS ILLEGAL TAKING SCRIPT



*Figure 3*

## Act One, Scene One: Negotiating Access to Deer

### 5.2 Developing deviance: Local natives

*Expert: 'The other lads could be people who are living and working locally, they've got a little bit of shooting rights, they could be gamekeepers who are out foxing, don't repeat that to anyone. [laughs]*

*Orlando: There's a lot of speculation in the press about organised gangs rampaging across the moors coming from elsewhere, but that's not the case in your experience?*

*Expert: No, they're local lads, that live relatively close to the moor.'*

(Anonymous local countryside custodian, interview, 2017).

The opening act of the crime commissioning process sees motivated illicit enterprise actors negotiate access to deer. These deer are here conceptualised as suitable victims. The previous chapter argued that the offender's relation to licit meat enterprise processing facilities is a necessary condition for the emergence of illegal taking of deer as has been shown to have taken place in the rural West Country. This takes the form of either owning enterprises, such as meat retail outlets like butchers, which table two shows, or being embedded in countryside occupations, which table three outlines, as rural workers, who are gamekeepers, and who hold game industry credentials with specialist access to venison dealerships or other grey game enterprise vending facilities. These substantial relations are dependent upon a further characteristic central to the organisation of the scripts. Suspects can routinely trade in the regional grey game marketplace due to being exceptionally local to the area. They benefit from being known by other industry actors within regional social and business structures as well as having local knowledge of the lay of the land. This enables suspects to conceal illegal taking in the patterns of their local business and to gain lawful entrance

to land to launch offences from. The offences occur as an ancillary to rural professions, in the grey game shadows of the secluded South West, places where the suspects call home. Many suspects featured in the scripts were born and raised in the region, as the opening quote suggests.

Belanes the butchers have been on the village high street for half a century; the Belanes are a local family who live in the region and have passed the business down through generations. They are internal to the criminogenic environment and are also intergenerational. On multiple occasions, expert local respondents remarked that the offenders were related, inheriting an interest in exploiting the natural resources on their doorstep, in killing and taking deer:

*'I don't think they're particularly anti-wildlife, so to speak, but those kind of people, they tend to be people who have been in the farming community for a couple of generations maybe, or certainly all their lives, so it's probably something they've grown up in and just accepted as being, 'this is what we do'. And farmers are a bit like that, especially if they're multi-generational farmers, they'll be very set in their ways, 'oh I've done this for years', sort of thing.'*

(Police Officer, South West Illegal Meats Group, interview, 2017).

*'What happens in Devon and Somerset, people are shooting on land that belongs to their families, but they are taking illegally at night.*

*There's a kind of smug self-satisfaction that we can get away with it, and no one can touch us, we'll do it because our dad did it.*

*We know two local farmer's sons in their mid-twenties who earn a good living by killing deer at night, if you're shooting 200 deer [a year] and you're selling them for £150 each, you've got a cash income of £30k PA. These lads aren't working, they're not working on their father's farm.'*

(Deer specialist and vet, interview 2017).

*Orlando: I'm interested in learning about who might be poaching in the South West.*

*Expert: Most of it is in the genes, it goes from one generation to the next.*

*Orlando: So it's a way of life?*

*Expert: It's the same families, it jumps from one generation to the next.*

*Orlando: Father and then son?*

*Expert: Yes, and Grandson.'*

(National Trust Deer Warden and Head Gamekeeper, interview, 2017).

According to respondents who live amongst and have regular contact with the suspects, the offenders believe that they are maintaining the local customs and the countryside conventions in a territory that they have a historical stake in: social practices that are emergent from the material conditions of the indefensible rural wilderness. Deer is a natural resource that they have a right to access and law makers in Westminster know very little about their way of life. They describe wildlife laws as 'red-tape' and 'bad-law', legislated by interfering bureaucrats from urban centres. This was reported to me by a local expert and respected deer surgeon:

*'He [Belane, key meat industry offender] just puts two fingers up to the authorities. And if you question some of these lads about their activities, they're very open about it, and they describe the various laws as 'red tape', 'you know all this bloody red tape, we know what we're doing, nerrr', as though it was sort of overzealous legislation from the civil service or pen pushers'.*

(Deer welfare expert, interview, 2017).

Being born and raised in the locale means that offenders deftly inherit knowledge of the physical environment and an awareness of how to exploit it. Illegal takers of deer do not have to confront an alien environment and learn its vulnerabilities during weeks of reconnaissance. They're able to ultimately offend in their backyard. The second of two notable suspects, identified by expert respondents as belonging to the meat outlet entrepreneurs' script, is a mobile burger van enterprise named Red Sparrow Burgers. Their business is conducted primarily at county fairs and farmers markets, and the company can also be hired to cater for events. The owners of Red Sparrow are also legitimate rural landowners, who run a fisheries and livestock farm. The farm was inherited, and several generations operate different sectors of the business. This demonstrates that offenders can inherit or buy their way into the informal rural guardian social relation as a countryside custodian, which masks their wrongdoing with the superficial appearance of legitimacy and thus facilitates offending. Of equal importance to this social relation is that rural workers who are local are much more likely to be accepted by other inhabitants of the region, such as landowners who hold the shooting rights to plentiful deer habitats. If your neighbour or someone you recognise from the village shop approaches you to ask for a favour or propositions you, it is more likely to garner a positive response than if a total stranger comes knocking on your door. These findings reveal the strengths of the social relations crime script formula being advanced, due to the overlapping and confused offender / guardian relation.

It was opined to me by a head gamekeeper and the chairman of an important rural national organisation, in reference to the experiences emergent from the secluded South West: 'everyone knows everyone around here'. It was also reported to me that the Nicky Belane himself, the boss of the butcher's outlet that features heavily in the venison enterprise script, is the cousin of a deer shooter and supplier. This thesis situates shooters, suppliers and countryside managers as rural workers, or countryside careers suspects. Agents in this category do not own outlet enterprises and therefore lack the means to sell the deer carcasses. By inheriting land, purchasing shooting rights from acquaintances or being given shooting permissions from associates, offenders are able to shift into informal guardian positions, infiltrate the deer's natural

habitat lawfully and conduct ancillary offences. This is a significant organisational characteristic and is unique to this type of mundane fauna offence at this early stage of the script: it exposes unique vulnerabilities to intervention and specific responses to be tailored to it, which lay in the structural capacities of legislation and not enforcement agents.

## **Act one, Scene two**

### **5.2.a The Entering of plentiful deer habitats by rural workers: Negating the legal classification of 'poaching' by 'regulatory accommodation and capture'**

*'Some of them are actually invited to do it by landowners who want the deer quota dealt with.'*

(Deer surgeon, interview, 2017).

*'They're still letting people shoot the deer, so people legitimately who have knocked on the door and said 'can I shoot them?', but equally they seem to turn a blind eye to the poachers down there, they seem to be not that bothered.'*

(National Gamekeepers Organisation, Spokesperson, interview, 2017).

It was identified in the previous chapter that a necessary condition of deer to be termed suitable victims was their 'valueless' status amongst rural landowners. Due to this status, owner occupiers of deer rich land are prone to invite, allow or accept grey game suspects onto their property to remove the valueless fauna. This is where being a local lad or a face about town with rural

skills and land management credentials is crucial to the stage of negotiating access to deer. The slippage between licit and illicit, or grey markets also highlights the strengths of the adopted enterprise crime theory. The deer represent a nuisance to many landowners and often a threat to agricultural farming revenues, due to their keen appetites for crops. In contrast to this, the illegal takers represent a low-risk solution to a problem. In some cases, they even add significant value to the hitherto worthless item.

Landowners who facilitate offending by permitting suspects to kill deer on their land do so for several reasons. This early scene can be visualised in figure three at the start of this chapter and understood more comprehensively by consulting appendix one. Farmers who endorse the illegal taking by pro-actively 'inviting' the offenders onto their lands are alleged to benefit from the arrangement, according to my key respondents. A financial cut from the sale of the venison might be offered; an illegal carcass can be worth £500 when taken by enterprise owners with the facilities to bypass the costs of middleman processing, generally in the form of approved game handling establishments. The profits from this unscrupulous exchange can be significant, especially when ten or more deer could be grazing on the lands at any given time. If a 50/50 deal is struck between farmers and takers of those ten deer, a landowner can turn a valueless burden into lucrative earnings, by allowing the deer to be taken in one-over-night event: an act which constitutes a major financial reward with zero risk. However, experts suggest that the more likely exchange is the allocation of shooting rights for a fridge full of burgers, steaks and sausages. This approach to exchange is more likely due to the offender's ownership of meat outlets. Due to the alleged extreme complicity and collusion of the landowners, they can be said to be directly enabling motivated offenders. The activation of this mechanism is best understood through the regulation conceptual framework of Edwards and Gill (2002). Informal guardian landowners who 'invite' suspects onto their private property to illegally kill deer are tendencies of 'regulatory capture' due to their high level of complicity with the suspects in conjunction with a breakdown in formal regulatory guardianship (Edwards and Gill, 2002). The following two quotes from experts highlights this phenomenon:

*'From the farmer's point of view, it's about pest control. They get a bit of meat out of it maybe, but largely it's about pest control. So, they don't give a monkeys if someone's going on their land and shooting at night, so long as they... I would say if they knew that person it wouldn't be such an issue for them.'*

(Environmental Health, meat specialist, interview, 2017).

*Orlando: 'Are the farmers who allow the deer to be taken on their land getting a cut of the sold carcasses? How do they benefit?'*

*Expert: Yeah I think so, I think they are. They're probably saying let's go 50 / 50 on the carcass, that's the kind of arrangement I've come across, or if it's someone like the [butchers], they'll say "bring me back a freezer load of burgers and sausages", they will benefit from it somehow.*

*They are invited by some farmers onto their ground, because the farmers don't want to shoot the deer and if it's done at night, it doesn't matter, if it's done during the day, it doesn't matter, as long as the deer are sufficiently disturbed to move onto someone else's farm.'*

(Local expert witness, Operation Nero, interview, 2017).

The notes on the script at this particular turn are unintelligible without reference to the appropriate context. Landowners who 'allow' deer to be 'illegally taken' from their land by giving shooting permissions, and thus negating the formal offence of real poaching, which requires trespass and the theft of items of value, do so for a reason which illuminates the realities of the illegal taking of deer in the rural West Country. It also emphasises the importance of a social relations model of crime script. All three of the remaining stag hound packs in the U.K exist in the relatively small region where this research took place. The Devon and Somerset stag hounds trace their lineage back to 1598 in the region and claim

that deer have been hunted in the region since the Norman period. The stag hunts cultivate a deep cultural attachment among certain sectors of the countryside community. The propertied classes and remnants of the aristocracy in the region are avid stag hunt supporters and the traditions bound up with the cultural history of the hunts are heavily guarded by those members of the community. Stag heads adorn the walls of most of the pubs, Barbour jackets are the standard fashion item, the Boxing Day hunt parades are a celebrated spectacle of the remnants of a bygone era. As the following quote outlines.

*'There's this hunting culture up here, everyone has an interest in the deer and the deer are perceived as the hunts' deer. Hence any stalking and shooting is very much frowned upon.'*

(National Park Head Ranger, interview, 2017).

As such, these are the 'captured' landowners who 'allow' illegal takers onto their grounds to informally cull deer. There are only three existing stag hound packs left in the country due to the Hunting Act 2004, which banned the hunting of wild mammals with hounds. This activity is therefore triggered by a distal condition which orthodox crime scripts cannot adequately account for. The activities of the hunts are themselves unlawful under the 2004 Act but remain operational under the contested practice of so-called 'trail hunting' and the other unfortunate loopholes of the Hunting Act. To the landowners associated with the stag hunts, the deer and what they symbolise should be fought for and preserved. However, the Hunting Act has produced the unintended consequence of the exponential proliferation of deer in the region. Due to these circumstances, deer in the area have flourished and their abundance has created an adverse effect on the ecology of the land. Due to this they are perceived as a pest by landowners, while also holding historical importance to their cultural customs. Landowners who 'invite' illegal takers onto their land seek to financially profit from the removal of the pest and the conniving landowners currently being introduced reluctantly 'allow' suspects to control the deer numbers on their land. This is

mainly done to prevent damage to their commercially valuable crops. It is alleged by experts in the region that illegal takers are given permission to enter the lands to control deer numbers in a model of illegal culling, because the stag hunts no longer have the lawful capacity to do so. The 'allowing' category of landowners can be registered as a tendency of 'regulatory accommodation', due to their benefitting from and complying with suspects to a moderate degree, as the following quote highlights (Edwards and Gill, 2002):

*'Since the ceasing of hunting, there is more poaching and that's because there is less incentive for small farmers to maintain and keep red deer on their land really, the hunt would always look after them [reduce their numbers] a bit and I think basically what's happening now is the deer numbers have increased and the farmers are turning a blind eye to the poachers, because it's easier to do that than have the problem.'*

(Expert Organisation Spokesperson, interview, 2017).

*'Some of these people, because they are hardened followers of the mounted hunts, the stag hounds, the Devon and Somerset and the Quantoc stag hound very strongly disapprove of shooting deer. They think that deer should be controlled with the hounds only, but it's absolutely impossible for the stag hounds to kill enough deer to control the population, so some of these hunting farmers who do not want to be seen to be shooting deer themselves will quietly have a word with the [offenders] and they will say "we've got a real problem with a lot of stags in the middle of the night standing in fodder beat, they're trashing the place, can you come and knock a few over?" And the lads say "yeah of course we will, leave the gate open and we'll be there tomorrow night!"*

(Local deer welfare expert, interview, 2017).

The shooting of deer is anathema to the stag hunt supporters, so the illegal takers are permitted to manage the increasing population with the tacit acquiescence of the landowner. In the cold light of day, the allocation of shooting permissions by these members of the gentry would be met with scorn and derision by the close-knit countryside propertied classes, yet most are allowing the illegal taking of deer from their land behind closed doors, with a wink and a nod. Everyone's doing it, but no one's acknowledging it. If the shooting is identified as occurring on their land or it becomes evident something untoward has occurred to an ostensibly cherished deer, the landowners who permitted the illegal taking designate the activity as an act of 'poaching'. This signals an ontologically different offence (which was discussed in the previous chapter) and points attention to external folk devils invading the region. Such misconstrued signals emitted from the region reach the mainstream media and throw the region briefly into the spotlight (Sawyer and Burke, 2017). The act of intentionally mislabelling the crime of illegal taking as proper poaching is deployed by 'accommodating' informal guardians. This is accomplished to deflect unwanted prying eyes from their connivance with the illegal takers of deer. This tactic is noted by an expert with years of experience responding to these types of crimes in the region:

*'The farmers don't want to get a reputation with the stag hound community, being people who shoot deer, because that is absolutely not PC if you're in the stag hound community and then they can complain that they've had poachers on their land, when actually they've been complicit in the arrangements.'*

(Operation Nero, anti-poaching Op, expert witness, interview, 2017).

The characteristics of the illegal taking of deer being discussed show the enabling features of the Hunting Act, which was a hard-won piece of legislation and is rightly celebrated by conservationists. However, it is creating the distal standing conditions for illegal taking by enabling motivated offenders when combined with regional cultural contexts. Stag hunt supporting landowners who

connive with suspects to illegally take deer are victims of regulatory accommodation, causally enabled by environmental legislation.

An avoidable natural harm arises from this reluctant reciprocal arrangement between regulatory accommodator and illegal taker; while the historical stag hunts would cull the older, infirm and diseased specimens of deer and dispose of them accordingly, the contemporary model of takers being exposed in this research are interested only in achieving in harvesting as many deer as possible for profit from the sale of venison. Illegal takers do not respect the proper practices and ethics of deer management. Therefore, the largest, healthiest premium stags are being targeted due to their potential to achieve more in profit per kilo of venison. This unfortunate trend contributes to a downward spiral of the health of the species in the region, as the local gene pool shrinks. This careless and indiscriminate approach to dispatch means that the runts are left to mate with the hinds and reproduce the next herds, while also inbreeding can become more likely. The offenders who are taking deer by this method are also not experts in wildlife health and are therefore potentially facilitating the entry of deer with TB into the human food chain. The inexpert filtration of tainted meats into supply chains could severely impact public health. These experts were keen to express these serious problems:

*'When it comes to large game, it's slightly different because you have got things like TB... And wasting disease and various parasites and things like that. And the issue with poaching deer is obviously it's armed trespass at its worst, for the landowner at least, but if they're shooting at night it's obviously dangerous because you can't see what you're shooting past, you don't what diseases the animal has potentially got, because normally they're lying down or sitting down in a field anyway. It's bad for the deer populations, the level of disease is likely to increase over the years because deer are getting no rest, because normally if you're only hunting deer during the day they can at least rest during the evening, if they can't rest during the evening or at night time, if they're constantly on the move through fear of being predated by poachers, then immunity goes down, level of disease goes up.'*

(Environmental Health, wild game meat expert, interview, 2017).

This expert emphasises the serious threats to public health that inexperienced methods of hunting and butchery of illegal take deer could represent:

*'So, if he's shooting deer in the middle of the night, then he's not doing his checks, he's not looking at things like the pluck for signs of TB or for certain cysts or any other illnesses that could come with wild deer. So, if you've got somebody that's dropped a load of deer and they're TB ridden and then they pass them on..'*

(Environmental Health Officer, Devon, interview, 2017).

The final example of generating the conditions for and negotiating access to illegal taking is created by farmers who 'accept' the activities of offenders. Acceptance of the presence of offenders who illegally take deer is usually obtained through threats and intimidation. This characteristic is vividly shared with human victims of hare coursing offences, who regularly receive threats of having barns, vehicles and homes set on fire. They are often victims of assault upon confronting the coursers who are generally more violent and deviant than the illegal takers. This expert highlights the key reasons on the spectrum for accommodating offenders:

*'Deer come in and destroy crops, they'll strip a field, you'll see when they've been in an eating crops or the amount of grass they'll consume, so they'll say 'doesn't bother me if they're gone'.*

*Or you'll get the other extreme where the farmers are concerned because of the intimidation and they're forced by these people to give them shooting rights, otherwise they're going to break their legs.*

(Trading Standards Animal Welfare Officer, interview, 2017).

One example of a poacher pleading with a farmer to obtain permission to shoot retrospectively, after being caught by guardians, was recorded in the data, but the majority obtain permission via acceptance by threatening the farm owner with violence or criminal damage to their property. The farmer who accepted the retrospective request for shooting rights was said to be ambivalent toward the 'valueless' deer on his land and just wanted them gone. Accepting the presence of offenders on land is achieved therefore either by indifference or under duress. This more extreme iteration of informal guardian connivance, captured in the quote below, can be registered as 'regulatory capture' (Edwards and Gill, 2002).

*'They're very brazen; the farmer was coming across the field towards them and they were just lamping [shining a blinding spotlight at] him and driving off really, really slowly when he came towards them. They're not nice people. Some of them are known to us and a lot of the farmers on the one side of the moor won't actually speak up to the police, even though they've witnessed quite a bit. These lads have threatened to torch their hay barn, torch their straw barn, that's the kind of thing they're worried about.'*

(Rural Crime Initiative, Chairman, interview, 2017).

Landowners also 'accept' or tolerate the presence of illegal takers due to a distrust in authority, which entrenches their regulatory captured position. Many parts of the secluded South West are prime examples of isolated and remote regions. The North Devon link road, the A39/A361, allows for road travel between North Devon to the County's capital, Exeter, in over one hour, and before it was built, in the 1980s, the trip was to be taken by back roads. As such, respondents have described the region to me as 'the wild west' and 'lawless'. Rural enclaves of Cornwall and Somerset also share these physical attributes and contributed to the creation of the indefensible rural wilderness situational surroundings concept. Such distrust in authority and of central government can be empirically registered in the massive popularity of voting to leave the European Union in all areas being researched. A feature of this distrust, according

to respondents, is taking care of business themselves, without recourse to the state. The region is theirs and they will protect it, appears to be an overriding theme, as are feelings of territoriality and 'them against us' in a town vs country trope. The criminality and law-lessness associated with Devon farmers has been identified previously in seminal food crime literature (Croall, 2007: 211). For these reasons, farmers accept or tolerate the presence of offenders without reporting the criminality to the police and instead take the matters into their own hands or solve problems internally, thus preferring to be captured by the suspects, rather than the dominant political forces. The following quote addresses this phenomenon:

*Expert: 'It's a very lawless part of the country. Because the area is lawless people settle scores themselves without recourse to the law. Just like [Belane] and the like don't respect the law with what they do [taking deer], the victims of these crimes, this poaching, the farmers, they won't go to the law for redress or sanction, they will sort it out themselves.'*

*Our local farmers, my neighbour at home, had two deer shot on his land after the end of the season and had a gate broken to retrieve them. Two piles of blood, head and legs and a gate broken and I said to him why don't you report this, and he said 'oh I don't want police involved, I know who it is, I'll have a word with them the next time I see them'. That's the attitude of the farmer.*

*Orlando: It's tolerated?*

*Expert: They don't want to be involved in going to court.*

*Orlando: Is that a macho thing, they don't want to be seen as 'squealing'?*

*Expert: Partly that, but it's also a rural independence. The people in the extremes of our nation, you go to North Wales, go to Pembrokeshire, the Highlands of Scotland, North Devon, they're very suspicious of authority or central government, or the establishment, as they perceive it, and they just think I'll deal with this myself or they think there's no point because nobody will do anything about it.*

*The other farmers are annoyed about it, but do nothing about them, they're a bit wary of the police and they say well it's always gone on, you're never going to change things, there are too many deer about anyway, so what's the harm.'*

(Wildlife crime expert witness and vet surgeon, interview, 2017).

All three types of the inviting, accepting and allowing landowners who grant permission for rural worker suspects to shoot deer illegally on their property constitute a countryside custodian who fulfils an informal guardian role and is conniving with motivated offenders. They can therefore be best understood from the framework of regulatory accommodation and capture, according to the varying degrees with which they facilitate offending; 'inviters' actively encourage offending. Their level of connivance is extreme enough to be deemed an instance of 'regulatory capture', while those who tolerate, accept or reluctantly comply with suspects can be registered as regulatory 'accommodation' (Edwards and Gill, 2002). Obtaining shooting rights on a piece of land from the owner negates the crime being formally designated as 'poaching' and creates the conditions which constitute the illegal taking offence. It thus strips it of the potential for enforcement intervention because 'illegal taking' is an unprecedented phenomenon and the informal responsible managers of the countryside are conniving with the offenders. It is for these complexities that the social relations crime script has been adopted and forwarded throughout this thesis. The phenomenon of rural workers committing crimes on country estates was identified during the previous chapter as being particularly difficult to witness, report and prevent, due to the offences taking place on private property located in isolated, secluded areas.

### **5.2.b Meat enterprise owners: Inheriting and purchasing land to gain access to deer; Obviation of 'poacher' category**

*'What happens in Devon, people are shooting on land that belongs to their families, but they are 'taking illegally at night', so they are not poaching in that respect.'*

(Local veterinary expert, interview, 2017).

Those suspected of grey game enterprise activity who own meat retail operations and private estates associated with their business, enter deer habitat via a different tactic to the employees in rural occupations just discussed. These suspects deplete deer from lands they lawfully own and therefore do not need to obtain permission from others or 'capture' owners, to enter. These organisational characteristics can be closely followed by referring to figure two at the start of this chapter and understood in their combined form by reference to appendix two. Meat enterprise suspects accomplish this strategy in two ways and the approach obviates the labelling of real poaching, as the above quote specifies. Enterprise owners have purchased land in the form of small holdings and fields. These lands are adjacent to deer rich habitats where the animals are most abundant in the region. According to five separate key respondents, including a National Trust head deer warden and gamekeeper of a country estate, the purchased property shares land boundaries with the protected areas owned by the National Trust and National Parks. The trust currently has an injunction against the offenders in relation to previous poaching offences. These suspects are reportedly purposefully seeking out land close to deer reserves, while the Black Sparrow burger enterprise, owns significant farmland from which they operate a legitimate farming business. It is legal to shoot deer on one's own property, during daylight hours, in the correct season and with proper firearms, which means the offenders are not poaching in the legal or common usage sense.

The laws being broken by illegal takers who have gained permission from landowner occupiers, or by farmers who own their own land are infractions of

the Deer Act 1991. The Act stipulates the times of year deer may be hunted (open and closed seasons), the times a of hunting (day light hours) and the acceptable usage of firearms permitted (such as calibre and not from a moving vehicle). All of these clauses are broken by suspects in the secluded South West who escape the terms of poaching and subsequently emerge into the illegal taking category. In conjunction with these offences, the depredation is generating severe natural harms. A head park ranger suggested to me that once deer rich lands in the micro-region situated in the deep West Country, had already been 'out-shot'. This suggests that no deer populations are left in that location. This desperate observation highlights the detrimental consequences this type of offence has to the continuation of healthy deer gene pools in the region with the biggest and healthiest Red Deer in the country. It is an important contribution to elaborating the ontology of victimology in green crime studies. Not only does it show non-anthropocentric criminality, but it expands the notion past charismatic megafauna as non-human victims, to include mundane fauna: a highly context-specific instance of a potential localised extinction level event.

The terms of antiquated poaching legislation provide the standing conditions of opportunity for suspects to kill deer on their own lands. The Night Poaching Act 1828 emphasises the protection of property and human victims of theft, not the protection of wildlife. It stipulates the; 'taking or destroying game on lands, etc., by night, or entering lands at night to take or destroy game' (Night Poaching Act 1828). The Deer Act 1991 echoes the anthropocentric focus of the act by suggesting; 'It is a criminal offence to enter onto land without the consent of the owner or occupier or other lawful authority in search or pursuit of deer'. Different sectors of my senior level expert respondents, including a barrister and wildlife crime police officer opined in interviews that the Act is to protect landowners from theft and not to guard animal welfare.

Poaching laws enable illicit grey game entrepreneurs who own lands within which they kill deer to obviate the legalistic category of criminal poaching. They essentially cannot be guilty of the crime, because one cannot 'poach' from oneself. The terms of the outdated law signify the classical, real 'poacher' category. The historical poacher was a property-less itinerant who had no

opportunity of raising his social position in the 16-18<sup>th</sup> centuries. They were a Robin Hood icon, who was firmly outside of and anathema to the property-owning social classes of the era. The rural and meat outlet owners featured in this script own farms, vast acreages of fields and successful meat retail operations. Deviants have gained access to these properties by inheriting and purchasing them, according to my respondents. This is an ability enabled by social mobility and socio-economic progress, which the Poaching Act of the 1800s fails to legislate for. This socio-economic mechanism can be regarded as historically specific and contingent in nature. It has enabled offenders to enter an informal guardian social relation and insulates them from enforcement interventions or situational preventions which could otherwise be conducted against travelling and acquisitive 'real' poachers. This turn of the script reveals the pernicious effects of legislation in the crime commissioning process and shows the importance of attempts at intervention looking beyond the proximal settings. It also emphasises important contexts that a rational choice or naïve realist crime script would necessarily overlook. Owning land from which suspects are able to illegally kill deer is particularly problematic, because there will be no witnesses, reportage, nor capable guardianship on the private property, in the indefensible rural wilderness. This problem has recently been reported as a feature of other forms of mundane fauna crime, generally associated with rural workers. It is reported in a study of raptor persecution around shooting estates in Scotland that, *'Conservationists fear the protected bird is being illegally killed by some gamekeepers because it eats red grouse. However, because the birds are killed in remote places, often on private estates, there is seldom evidence of wrongdoing and prosecutions are rare'* (Barkham, 2019a).

## **Act Two: Illegally Taking Deer**

### **Act Two, Scene Three: Preliminary strategies for depredating deer on lawfully accessed lands**

#### **5.3 Entrapment of deer on pre-prepared shooting grounds**

A cunning strategy to illegally take deer is implemented by the meat enterprise-owning suspects presently being focused on and visualised in figure two. Motivated offenders who were just shown to purchase lands known to contain an abundance of deer, also are said to corral the animals onto their lands. The strategy was identified by a variety of local practitioners, working in different specialisms. The lands are specifically chosen due to their optimal access to plentiful deer reserves. The suspects are known to have planted vast cover crops on their newly acquired land. Vegetables such as swedes, turnips and beetroot are irresistible to the animals. The crops entice the deer from the National Trust and National Park owned land toward an offender's lands. The cover crop scent is identifiable to the deer over large swathes of moorland and attracts the animals from far and wide. The deer leave the safe haven of National Park owned lands and onto an offender's property to feast on the appetising vegetables.

The lack of physical borders in the ancient and confused natural spaces of the moorland on which deer graze situationally enable the suspects cunning strategy. Once the deer have crossed the nondescript land boundary in the indefensible rural wilderness and are occupied by the delicious food, they are shot from towers. Suspects have erected hides or shooting platforms on their acquired lands in the undergrowth and camouflaged them with foliage. From those vantage points they simply pick off the suitable targets, using high-powered weaponry. The local council is currently demanding the towers be dismantled, not least because no planning permission was sought prior to their

construction. The utilisation of modern technologies such as thermal imaging sight attachments on sound moderated high velocity rifles is a strategic mechanism deployed by the suspects during this scene of the script. The weaponry enables a swifter dispatch of vulnerable deer and increases the body count. On several occasions this apparatus was described to me by experts as now readily available and easily affordable 'military grade gear'.

It was also noted to me that if the deer do not cross the borders of their own volition, a secondary tactic is used by the suspects. Beaters wade into the undergrowth behind the deer, to frighten them out of their hiding spots on the safety of National Park property. This then forces the deer into the shooting range of the suspects on the rifle towers. Enticing and indirect herding of deer by suspects is therefore an organisational feature of the commissioning process. This is an important revelation because it exposes the potential for local authority land permission offices to have more oversight and capacities to intervene at this stage of the script and not just the more obvious agencies. The strategy is revealed by these two experts:

*'They will put swedes down to encourage the deer down onto their land, because swedes and turnips are like sweets to deer. So they would put all of that down to encourage deer onto their land. It's alleged they've bought land down the [road] toward [location], just to get the deer.'*

(National Crime Agency Financial Intelligence Officer and Senior Animal Health Trading Standards Officer, interview, 2017).

*'There are two generations of Belanes that are doing this. The Belanes are in an interesting position, they have a high court injunction against them from entering any National Trust property, because they've caused so much trouble. They bought land alongside the National Trust land and deliberately drive deer out of the woods to be shot and one of the things that's going on at the moment is the planning officer has got involved, because they put up a big*

*tower in the field next to the National Trust property from which they shoot deer, which contravenes planning regulations.'*

(Deer surgeon and local wildlife welfare specialist, Interview, 2017).

### **5.3.a Delivery driver reconnoitring and proceeds of crime**

A respondent validation 'round-table' event was arranged with five key expert respondents who contributed to this research, one year after the majority of the interviews were conducted. During the time lapsed, new scenes of the script had been elaborated by the suspects. The first of these contemporaneous organisational characteristics is situated in the strategies that suspects use to acquire optimal shooting grounds to target deer. Suspects were said to approach landowners and ask permissions to access their lands or to purchase the land to shoot on, generally through localised rural based social relations: everyone knows everyone and grew up together. However, a form of prospecting or cold calling was noted as emerging during the latter respondent validation session. A white van delivery courier driver is reported to traverse the rural region and visit properties that deer gather on, in a form of prospecting. The courier would then propose a price to the owners of land with deer habitats, for shooting rights or to purchase the land. This operation was carried out for the core meat enterprise suspects. The strategy was emergent late in my field work and requires further research to track its future tendencies in enabling motivated offenders' access to suitable targets.

During the same respondent validation meeting, experts revealed that a new event relating to concealment of finances was in the process of emerging. A senior male or father of the core meat retail entrepreneur family, had recently passed. According to my respondents, the suspects had been advised by their accountant to purchase land with the large inheritance and not keep the sum in a bank account for a length of time. Therefore, the purchasing of specific fields to shoot deer on was also allegedly being used as a destination for their sizeable finances and ensure the reproduction of the business model. This revelation suggests that the key meat industry suspects, who own butchers and mail order

meat operations, purchase land not only to hunt deer on, but for the alleged concealment of finances. This revelation is not visible on the visualization of the script as more research is required into its emergence and materialisation.

#### **5.4 Scene 4; taking time: Shooting deer at night**

A crucial insight into the illegal taking of deer script is that offending generally occurs only at certain times. This insight potentially reveals opportunities for precise intervention measures. The natural and biological mechanisms of mating seasons and reproduction cycles determine when mundane fauna become most abundant and therefore vulnerable to criminality. Ecological factors such as habitat, climate and lay of the land also determine where animals will be found. The eco-systems and habitats of fish is the prime example of nature determining where offenders can target items for taking; in specific waterways it is as easy as shooting fish in a barrel. The land is flatter, and the fields are vaster in the East of England. After the harvesting period this leaves an ideal venue for hare coursing to occur. Badger and deer tend to inhabit the wildest most unbuilt natural environs, meaning offenders seeking to attack those species do so where human habitation and surveillance is at a very minimum. Unlike charismatic megafauna poaching, which occurs 24/7, the illegal taking of deer manifests only at night and usually during the early hours. A rural crime manager and police sergeant expressed in interview that during his 20 plus years' experience in the job, he is able to pin-point when each variation of wildlife crime he polices will occur, from the time of year, to the day of the week.

The illegal taking of deer in the secluded South West occurs at night and normally in the early hours, due to the marked absence of capable guardians and scarcity of passers-by at that time in remote areas. As outlined in the previous chapter, part of the concept of indefensible rural wilderness is the spaces barrenness, both naturally and socially. Minimal dwellings and little employment in the moorland areas means scarce population numbers in general, which decrease further at night. In fact, the only people with any reason or justification to be in the region in the early hours are the very suspects themselves, who work

on the land. An expert witness and deer surgeon from the area suggested to me that 4x4 vehicles driving around late at night is a completely normalised sight for the farming region of the South West. This isn't the case where other produce is farmed, such as arable or sheep herds, elsewhere in the UK. The head deer warden for the National Trust, who conducts regular nightly anti-poaching patrols, suggested to me that the early hours before sunrise is the optimal time for the offending, and that it is most pronounced early on Sunday mornings due to the suspects being fully aware of the acute absence of others. The warden has himself been stopped by the very suspects he was monitoring during a patrol and had his own motives questioned by them. This brazen interaction suggests that offenders are using their status as countryside landowners to flip the 'poacher' category onto other individuals who may be present near their lawfully purchased lands.

*'it's just about keeping on top of it, that's all you can do, because the chances of catching someone at 2 or 4 o'clock in the morning red handed with a deer are flipping rare!'*

(Rural Crime Initiative, Chairman, 2017).

Attempts at crime scripts for the poaching of megafauna have failed due to the authors being unable to identify precise characteristics of the commissioning processes (Moreto and Clarke, 2013). Gaining insight into the exact times that deer are taken illegally is therefore important to the success of an accurate crime script as it reveals when to focus preventative interventions. Senior level expert practitioners wasted no time in sharing that illegal takings increase in the run up to Christmas, due to the boom in demand for venison as a seasonal foodstuff. Therefore, grey game activity intensifies during the months between October and January, between midnight and just before dawn. According to a local deer conservation specialist, the months preceding Christmas 2017 saw a dip in the usual frenzied taking and the problem was not as sustained as was anticipated. He attributed this to the fact that a key venison retail entrepreneur suspect was

kept busy due to attending court dates on numerous occasions during that period. The suspect was charged with multiple food hygiene violations. However, the suspect immediately made up for lost time (and earnings), as recounted to me by the specialist in an email sent in early February 2018, stating he was out every night, being run off his feet, chasing and challenging the suspect.

The intensification of offending occurs during the winter months due to heightened demand for venison as a Christmas dish coinciding with when visitors, passers-by and guardians are at an absolute minimum across the countryside. The moorland region, nature reserves, coastal paths and natural beauty spots which the South West is famed for receives a huge boost in population numbers in the form of seasonal tourism during the summer months. This population trend reverses in the dead of winter; tourism shuts up shop, holiday makers go home, second homeowners return to major cities and the locals batten down the hatches. This unity of diverse natural and social determinations is highly advantageous for taking deer under clandestine circumstances. The only persons with a valid reason to be in the region are the very rural workers being discussed, who have legitimate business interests and game or livestock responsibilities to tend to.

However, the booming tourist business during the summer months generates its own problems. The South West is a major holiday destination for domestic tourism (discussed further in Chapter 7; Contingent Conditions) and key suspects are known to be a meat supplier for the many holiday camps and leisure centres in the popular resort region. Other key illicit vendors operate a mobile food outlet that is often in attendance at farming and countryside events. Such events, fetes and festivals tend to be scheduled for the spring and summer months. The Devon County Show is the most relevant example of such an event in the South West and perhaps the length of the country. The spectacle occurs in the very county that the suspects call home and conduct business in, thus providing a significant end market for illegal meats.

## **5.5 Targeting suitable victims: Techniques of illegally taking deer**

### **5.5.a Night shooting**

The technique most frequently mentioned by experts for killing deer was the usage of sound-moderated rifles with thermal imaging devices. The technique historically deployed by poachers to kill deer is known as lamping. This is the process of shining a bright spotlight into the animal's eyes, to dazzle and disorientate it. Once it is stunned the creature is vulnerable to attack because it is unable to evade capture. It is then shot or set upon by strong dogs. The lamping technique is deemed particularly cruel because the animal is incapacitated from the spotlight and can die slowly from dog bites (rather than instantly from a rifle shot through the head). However, lamping did mean that the deer had a head start and the opportunity to avoid shooters. This is because offenders were easily identifiable, with large spotlights usually attached to off-road vehicles with loud diesel engines. The method was cruel but did not cause high volume criminality. Using firearms with thermal imaging or night vision goggles, as done by contemporary shooters, means that the animals can be detected at long distances, via their body heat and without the deer realising they are being targeted. Thermal imaging technologies firmly tip the balance in favour of the offenders and reduce the chance of escape for the deer. A gamekeeper and owner occupier of land suggested to me that easy access to this military grade gear is directly responsible for more deer being shot by rural workers, as the technology makes shooting animals far simpler. The expert opined that the gear should be strictly legislated, and users regulated.

When combined in application with sound moderators or silencers on the firearms, the deer stands little chance, especially at night when it is resting, grazing or nurturing its young. These modern technologies also present a barrier to detection of offenders. According to wildlife crime officers, many reports of poaching would be made by the public to the police upon witnessing the unmissable spotlights shining from the lampers in fields or forests and hearing the roaring of engines or the din of shots fired. Thermal imaging devices and sound moderators omit all of those tell-tale signs which give away the presence and position of offenders. They are able to operate in silence and under the cover

of darkness. Being able to pursue their quarry with ease in the dark is especially important in relation to neutralising the situational barriers of a bleak forest during the long winter months on the North Devon coast. It also means they are able to shoot strong deer, as opposed to less nimble and infirm deer, as per the earlier argument on the eco-centric impacts of illegal taking, and thus impacting the gene pool further.

In conjunction with obtaining lawful permissions to access lands from which to take deer, legal firearms ownership is also a key organisational characteristic of the process. Firearms ownership in the South West is the highest in the country and is a necessary component of a countryside career. The members of the group who pull the trigger will hold either a shotgun licence or a firearms certificate; the penalties of illegal firearm usage are far greater than those of poaching so carry too great a risk. This evidence therefore reinforces that the shooters are based locally to the vicinity they illegally take deer, because certificates are valid only in certain locations. It also sustains the contention that suspects are embedded in the rural employment structures of grey game enterprise and not criminogenic ones. This is because a shooting licence can only be obtained if users have an unblemished medical history and no criminal record. Valid reasons for owning a gun in rural areas range from recreation, such as partaking in game-shoots, or for countryside management reasons linked to rural employment. Several separate techniques involving firearm usage are practiced by illegal takers at this stage of the script, which stem from legal ownership of firearms and their normalised presence in remote parts of the rural West Country.

The approaches to using firearms to kill deer differ depending on the positions the offenders occupy in the two broad suspect script categories being offered. Meat retail owners who also own rural lands are reported to coordinate shooters during overnight events. They accommodate the shooters and oversee the process, but do not shoot the deer themselves and are not in possession of firearms certificates, according to experts. They appear to relish witnessing the pursuit of deer as active observers, but not to get their hands dirty, as participants. They allow seasoned blood-sports enthusiasts to pull the trigger.

This approach is used to sever the link between shooter and carcass, thus limiting the scope for evidencing wrongdoing in the legal process. The arrangement is reciprocal, as the meat enterprise owners benefit from the skills of expert local firearms holders, while the shooters enjoy killing things. The following quote reflects this:

*Orlando: 'So how exactly are the deer being taken? Do they all have firearms licences?'*

*Expert: Well what he [Belane] does, he lost his years ago, but he gets jokers coming in to do his shooting for him. There's usually about 4 or 5 in the truck, one of them will have.. when we caught him, dragging the stag, that chap actually lost his firearms certificate because he was the shooter, as it were, for Mr Belane.*

*So he got caught and he lost his licence, so he was no use to Belane then. So he got pushed and then the next joker came along, who wanted to shoot some deer.*

*Orlando: Does the deer go into a different vehicle to the shooter after it's been dispatched, so the link cannot be made?'*

*Expert: That's right, a lot of the time they might leave it, they might shoot it at say 2am and then go back to pick it up at 6 o'clock in the morning, like you say, a different gang of people will have picked it up.'*

(National Trust Head Deer Warden, interview, 2017).

The family behind the Red Sparrow enterprise own farmland, which the senior male Red Sparrow commercially farms with livestock. He has had his firearms certificate revoked due to other firearms and livestock related misconduct. The sons who live at the farm hold valid firearms certificates, which itself is clearly a problematic set of circumstances. The junior Sparrows shoot deer on the land, to supply the mobile burger business, which the father manages. Experts speculated in their accounts of this enterprise and from official operational data that the business probably supplies other unscrupulous

eateries, pubs and hotels in the region. The financial gains from illegally shooting deer are said to be so great for the junior Sparrows that they choose not to work for the family farming business and are officially 'unemployed', while earning a potential £30k PA, as stated by a senior respondent quoted earlier.

## **Act Three: Integrating carcass with legitimate business practices**

### **Scene five;**

#### **5.5 Separate vehicles**

*'The way these guys operate, they shoot the deer at night out of the window of an ordinary car, they then disappear, they drive away with the rifle, they put the rifle away and they leave the deer. They wait until any disturbance from the sound of the shot has passed, they then come back with a pick-up 3 or 4 hours later and pick the deer up. If they are then found with that deer but no rifle and no way of knowing where the deer came from, the police cannot build a case against them'*

(Deer welfare expert, interview, 2017).

*Expert: 'And what we tend to find is with witness accounts when they've run into them or from some of the info that we've seen from cameras that local farmers have put out to try and catch them, it seems to be that you have two vehicles.*

*Each vehicle can normally have four blokes in, but the minimum we see is three in one and one in another, but you will never get the firearm and the deer carcass in the same vehicle.*

*So one vehicle will be there purely to drop off the shooter, who will walk onto any ground he likes, or get driven onto any ground he likes, to shoot deer and*

*then the other lot are in a vehicle and they are there to recover deer and they pick the deer up once they've been shot.*

*Orlando: So the shooter can't be linked to the carcass?*

*Expert: Exactly that.'*

(National Park Head Ranger and Rural Crime Initiative Chairman, interview, 2017).

A specific technique applied to the shooting of deer was frequently reported by those with multiple experiences of witnessing and responding to the offending. The legal firearms holder always travels to and from deer grounds in a separate vehicle to his counterparts. This means that no meaningful associations can be made between the shooter and the carcass, once it is in transit. This tactic is enabled by deer regulation which stipulates the 'shooting' (and pursuing or harming) of deer at night as an offence, but not being in possession of a carcass at night. This is the same as one street level drug dealer taking the money from the customer on the corner and another operative arriving afterwards with the product, to sever the link between payment and exchange. Once the deer has been illegally killed at night by the lawfully registered owner of the firearm, the shooter disappears. This is essential to insulate the lawful firearm holder who will ultimately lose his legitimate day job if he is caught misusing his firearm and has the licence revoked.

After the killing, a different vehicle arrives with a separate crew who retrieve the carcass and transport it onwards. The second vehicle will usually arrive in the first hours of daylight, which unencumbers the act from a night poaching offence. This turn of the script highlights the level of organisation amongst suspects. This tactic is not employed by the less meticulous and deer will often be transported immediately after the kill, thus illustrating the imperative of the tactic of using separate vehicles, should either vehicle be stopped by police. If the second vehicle is stopped by police with the carcass in transit, offenders are able to say that they have found the deer already dead, probably as roadkill. For the officer to establish any wrongdoing, he would either

have to go to the landowner to confirm those in possession of the deer had permission to shoot it, if they claimed they had done, or, if they claimed to have found it at the roadside or a clearing, the officer would have to confiscate the carcass and run a number of forensic tests with the assistance of veterinary experts. The calibre of gun would have to be checked by way of examining the bullet and the temperature of the carcass would have to be verified by a deer surgeon or expert, to confirm the time of death of the animal. The wildlife crime officer in the region, who I interviewed on numerous occasions and shared many discussions with over the phone and via email, is also the local beat bobby for 13 regional rural parishes and responding to all potential anthropocentric victim-based needs. Interrogating such detailed offending characteristics are heavily time and resource intensive. Most officers are unlikely to pursue the investigation under these circumstances given the constraints on their time, especially under the current intensified contingent conditions of austerity and protracted cuts to budgets. These contingent conditions are explored at length in the penultimate chapter and specified as acutely criminogenic. The following quote emphasises some of these issues.

*'Unless you can actually prove that this person killed the deer, it's very difficult to build a case against them. If they've got a dead deer in the back on their pick-up, with no weapon, no rifle, no dogs, no knives, that's a very easy case to defend, if the police decide to bring it to the courts, because the magistrate has to be certain that this was the actual person who killed the deer, not just a person who's transporting it.'*

(Rural veterinary expert, interview, 2017).

According to expert witnesses, the shooter will be a passenger in the car and the two will be the only occupants of the vehicle. In particularly brazen cases reported to me, the shooter will shoot a deer from the passenger seat of the moving car, itself a separate offence under the Deer Act. The second car will have two or more individuals needed to lift the potentially large and heavy deer

carcass from the land and into the vehicle. Usually the vehicle will be of a rural spec, such as a 4x4 truck, Land Rover or Range Rover. Deer that are transported by this vehicle straight after shooting will be moved onwards, deer that are left for a number of hours until daylight will usually be hung from a tree, to bleed out. Less exacting offenders will leave the deer on the muddy ground where it was shot, which creates potential contamination with TB or soil-born bacteria and toxins in surface waters. The research found cases of offenders being disrupted while dragging a carcass from field to vehicle, it also identified occasions where butchery occurred at the kill site itself. Intestines and hind quarters of deer, known as animal by-products, were found discarded in fields. One case was identified where a dog was released from a vehicle when travelling home from the pub, at night, when a deer was spotted, in opportunist fashion. These situations alert us to the significant risks to public health, if the meat is dispatched in this manner and then filtered into legal supply chains. As shown in the following two chapters, the significant eateries and holiday resorts within the South West are all supplied by the suspects featured in these crime scripts.

The tactic of severing the link between killer and carcass appears to be standard operational procedure shared by organised illegal takers. This action is carried out to subvert Deer Act legislation, which could suggest legal advice has recommended the method to the suspects. A simple method of closing this legislative loophole would be to make being in possession of a dead deer at night illegal. The answer to the question of why suspects choose to illegally take deer at night and not during the day, when it is simpler and legal to do so, with the correct firearm and on permitting lands, reinforces the findings of this research. Rural workers, such as game keepers, farm hands and deer stalkers all carry out their duties at night, alongside duties such as shooting foxes or other perceived pests and threats to shooting estates, managing lands and lambing throughout the early hours. Thus, ancillary grey game activities such as illegally taking deer are enabled by these employment duties and routine work activities. The suspects legitimate work responsibilities are used to conceal illicit activity and justify their presence in the wilderness at night with firearms. It can be further argued that motivated offenders within the meat enterprise owner script have busy day jobs as butchers, wholesalers and mobile vendors and on farms, so are

otherwise engaged during the daylight hours when it is legal to hunt deer using proper dispatch methods.

## 5.6 Carcass removal

Once the deer has been shot and the shooter has left the scene, as stated in the previous quote, the second group swiftly retrieve the carcass and drag it into the waiting truck. At this point of the crime commissioning process, the advantage the offenders gain from obtaining their own land near abundant deer herds becomes more apparent. A constant observation from respondents during interviews was that offenders would either irresponsibly ignore land perimeters and shoot over property borders or deliberately disregard land boundaries altogether, due to a perceived lack of firm guardianship and deterrent. In an unrecorded conversation with a land owner gamekeeper, during a trip to observe the interactions of Environmental Health with local registered hunters, the landowner described the situation as, 'He [a poacher] owns land A and C, which he shoots deer on and I'm land B, and he ignores those boundaries'. This expert reinforces the scope of the issue being discussed:

*'When Belane was prosecuted 6 or 7 years ago, a local guy gave evidence against him who had filmed Belane and his colleague henchmen shooting a stag on National Trust land and then moving it and I think that video footage is still available.*

*It's amazing how good they are at what they do, that deer was shot and moved off the National Trust field in seconds, they put it over the fence and put it on to their land quicker than you could have whistled.*

*That was very early in the morning, not at night and that's an illustration of these people not recognising boundaries. If they see a deer, wherever it is, it's free to take.'*

(Deer surgeon and local animal welfare expert, interview, 2017).

The suspects who are being described by this expert as shooting a deer on land they do not own, are officially poaching. However, once the deer has been stealthily dragged back onto the land owned by the suspects, it switches to the illegal taking of deer. This issue also highlights the problems with legislation which criminalises poaching: the Night Poaching Act 1828 was written 50 years before the invention of the automobile. Suspects who seamlessly switch between poaching and illegal taking and are removing carcasses with vehicles generally rely on powerful 4x4 off-road vehicles. The offence can be argued away or contested by those with land close enough to do so, especially if witnesses or evidence is lacking, due to the physical conditions of the indefensible rural wilderness. If offenders are stopped with a dead deer in transit on a single-track country lane which accesses multiple properties with deer habitats, including land owned by the offender, it is impossible to trace where the deer was shot and therefore whether it was poaching, the illegal taking of deer, or neither. The powers of a social relations crime script are important at this turn of the script: The realist ontology is able to note that legislation which is as ancient as the landscapes being described is hindering expert prevention of illegal deer taking.

### **5.7 Covering up the kill: Tying up loose ends of the kill script**

Once deer have been illegally taken, illicit enterprise owners and local rural workers are able to steer local discourse and frame the activity as they see fit. As touched on earlier, it is not in the interests of local offenders to draw too much attention to the offending by signalling a crime, because more state resources could be poured into the region and a spotlight brought upon it. They are however capable of diverting the signal away from their own deviance and signifying a false category, by labelling the offence 'poaching'. Rogue farmers who illegally kill deer embedded in the local meat industry, complicit landowners who benefit from a financial arrangement with the offenders and compliant landowners who seek to get burdensome, valueless deer removed from their land, all have a stake in mislabelling the crime as 'poaching'. All have been 'captured' by the suspects. Such misrepresentation signals a folk devil of foreign invader or urban marauder who is penetrating the rural idyll. None of these

constructions have any basis in the reality of the South West context, according to my findings. Enforcement regimes tailored to disrupt the exogenous poacher model, such as number plate recognition on major motorways and checking urban and European crime databases are futile in respect to the localised internal patterns of grey game enterprise offending in the South West. The offending occurs in back gardens, so to speak, and the signal is muted. Honest landowners in the region are actual human victims of real poaching, when their neighbours, associates and peers illegally kill and take deer from their land.

## **5.8 Conclusion**

This chapter has revealed the organisational characteristics of the illegal taking of deer in the secluded South West. The commissioning process has been presented as a realist social relations crime script. It has focused mostly on proximal situational aspects and the capacities of motivated offenders, who take the form of grey game enterprise actors. The acts and scenes were introduced to reflect the sequence of events taken by offenders to accomplish crimes related to illicit venison production activity. The script has shown that lands are legally obtained (by enterprise owners) or lawfully entered (by rural workers) with permission of the owner, to illegally take deer. Strategies such as the planting of cover crops were shown to be used, to lure unsuspecting deer onto a pre-prepared shooting range. This analysis has also enabled the spotlight to be thrown onto crucial aspects of the patterned process that would be omitted from a rational choice model of script. It has shown how situational crime preventers would be of little use, because offenders negotiate access to victims from their own private property and places of work. Higher fences, stronger gates and more CCTV would not reduce these problems. Instead, attention is drawn to business practices, local authority planning offices and unexpectedly pernicious wildlife legislation.

The analysis highlights the unintentional consequences of the Hunting Act. The Act causes problems peculiar to the secluded South West. It enables the causal powers of motivated offenders, when structured with an absence of expert

guards, within easy reach of deer. It has shown that political and economic contingent conditions combine with regional cultural conditions to result in connivance and capture. These concepts amount to improper intimacies between suspect and guardian, which handicap the capabilities of the latter. The analysis therefore indicates the problems which could arise from interventions that take the perspective of traditional routine activity theory, such as focusing on resourcing (colluding) guardians or ignoring their causal role entirely and fixating on offenders. Offenders, who in this context, are not ordinary 'rural criminals': they don't steal farm machinery or anything that isn't nailed down. The specific form of mundane fauna crime is an illicit enterprise offence, commissioned by landowners, countryside custodians and those associated with the venison retail market. Rural workers conceal their illicit activities within their formal work duties and illegally take deer as an ancillary to their occupational duties. Due to these social relations and because of a severe absence of expert guardianship, which is explored in detail in chapter 7, suspects are able to succeed in the illegal taking of deer using the strategies and techniques elaborated in this crime script.



## Chapter Six

### The Illicit Processing of Venison Crime Script

*'That's meat coming into the food chain, so there's probably some tightening up of food regs to be done as well. When it's game that's coming in, or game and deer meat, deer products. Interesting, murky world. The meat industry is a bit murky. It's hand in hand, it's a commodity and that's why it's being taken, and that's how you turn that commodity into cash. It's got to transform into something to make the money.'*

(Wildlife Crime Police Officer, South West, Interview, 2017).

#### 6.1 Introduction

This chapter discusses the onward journey of illegally taken deer, post-dispatch and carcass removal: from the gate to the plate. It reveals the organisational characteristics of the transformation process the carcass undergoes to illicitly enter the food supply chain as venison. It is during this stage of the commissioning process from which financial profit is derived. In line with the previous chapter, this chapter continues to focus on the organisational characteristics of situated offender activity: the sequential steps suspects take to develop the process, to achieve instrumentally rational goals. The imperative of filtering grey game into legitimate venison enterprise systems, such as game dealers, using official hunter declaration accreditation, are shown to be necessary conditions of the offending process. Findings reveal that offenders are deeply embedded in the licit commercial game production industry and how that social relation enables them to integrate illegal meats among legitimate produce, thus concealing the identity and illegal origins of the carcass. Such ancillary routine activities generate the iteration of scripted grey market enterprise crime being presented (Edwards and Gill, 2002; Edwards, 2016; Lord et al, 2017b&c). It is recognised that little to nothing is known of 'deer poaching' in Britain and

the associated 'black market meat' industry; my findings cohere with the position of much food crime literature (FSA, Food Crime Assessment, 2016: 09, 26, 46; Wyatt, 2016). This suggests that deviance emerges as a tendency of dishonest but accepted practices in under-regulated industries and from having specialist, legitimate access to food production facilities (Croall, 2007; De Rosa and Trabalzi, 2016; Lord et al, 2017a; Lord et al, 2017c). The process of concealing illegally taken deer among legally dispatched and 'traceable' venison shares similarities with other counterfeit consumption rackets, such as the illegal alcohol market, of which Nick Lord suggests; 'its production and distribution, is inherently a form of 'market-based', 'enterprise' crime... that usually requires reliance upon or integration into licit markets and legitimate business environments' (Lord, et al, 2017b: 05).

Suitable targets, which at this stage of the script is lucrative venison meat, derived from illegally taken deer carcasses, are left vulnerable to the activities of motivated enterprise offenders during their routine employment activities relating to regional food supply chains. Such misconduct emerges in a space and time notable for its absence (or capture) of capable guardianship in the secluded South West. This absence is precipitated by not only a resource deficit produced by chronic defunding of public agencies in hyper austere times, but is the combined tendency of suboptimal compliance standards, written in wild game production legislation. The literature portraying farmers and countryside guardians as rural criminals, rather than the victims of rural crime is an emerging sub-discipline of criminology (Smith, 2004; Croall, 2007; McElwee et al, 2011; Smith et al, 2013; Smith and McElwee, 2013; Somerville et al, 2015). These industry actors are undeterred because they perceive the offending to be risk free, due to the deficient traceability system regulating the entrance of deer carcasses into the supply chain for venison meat preparation and due to crimes occurring away from prying eyes, on private property. Grey game enterprise offenders are illicitly processing venison because subverting official 'regulations' and concealing illegal meat among that which is legal enables the potential offender(s) to gain 100% profit, by selling stolen goods either to unwitting customers or conniving clients.

The legislation facilitates an enforcement vacuum; proactive local authority Environmental Health officers are rendered absent because compliance enforcement falls to the Food Standards Agency (FSA), who are necessarily absent, for a variety of factors outlined in this chapter. The expert guardian mechanism is constrained due to a sudden and unnecessary shift in governance at the very point (stolen) goods enter the supply chain, from local Environmental Health (EH) to the FSA (and then to Trading Standards). The most vulnerable points in the commissioning process, where stolen goods enter the market, are left entirely exposed to industry misconduct due to policy level incompetence. The conditions are specified by many of my expert senior respondents with experience of investigating and successfully prosecuting livestock welfare offences in Crown Court, as being a core determinant of the problem:

*'You don't need any middlemen or nothing, it's just simple. It's just individual hunters supplying an AGHE [Approved Game Handling Establishment or venison processing plant and dealership] and the AGHE is putting on a rounds-man [a nightly collection of carcasses], in effect, which is legit, they can do that.*

*So it's that simple, you haven't got some 'Mr Big' in control. I don't think anyone's taking a slice, everyone's just getting a bit of the piecemeal from their work.*

*You shoot deer, you ring up an AGHE, you look through the yellow pages or just do a Google search, if one person doesn't take it, someone else will take it'.*

(Senior Environmental Health Officer, Mid Devon, interview, 2017).

This chapter continues to trace the scripted flow of the commissioning process shown in the crime script visualisations. It elucidates the organisational

characteristics of the illicit processing of venison within grey game enterprise structures for financial profit as a consumable foodstuff. The first sections focus on the final processing stages of the meat enterprise owners.

## MEAT ENTERPRISE OWNERS ILLICIT PROCESSING SCRIPT

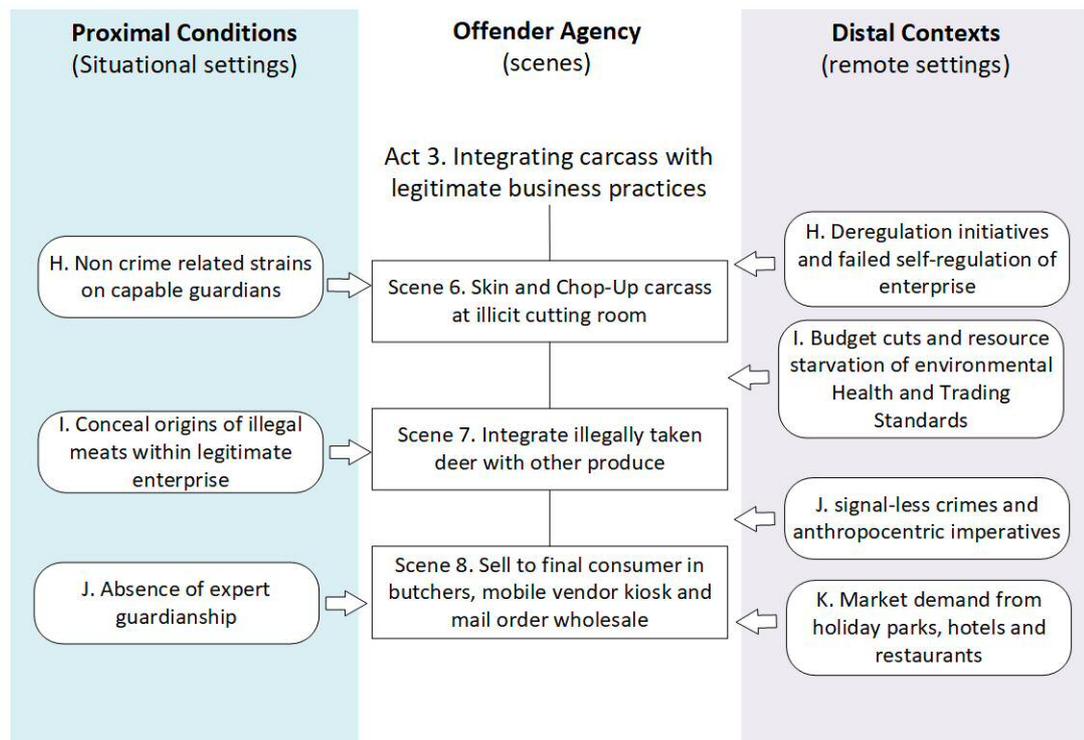


Figure 4

## Part One

### Act Three, Scene Six

#### 6.2 Illegal cutting rooms (of meat enterprise owners)

*'You'll have numerous people in the area, I'm looking at one in the moment, they might have a chiller, they may have an old room in a shed or a barn, you just hook it up, in skin, gralloch it, store it. And then a number of things can happen, you'll have some game dealers come around, some don't ask questions, just come and collect it, goes in the books.*

*But also you'll have people connected to the meat trade, butchers or that sort of world, or they'll take the meat, prepare it and distribute it themselves, so it'll go into burgers, sausages, steaks or distribution to pubs, restaurants, camp sites and this sort of stuff. So you've already got a business there running semi-legitimately, but you're feeding stolen meats into that business and then distributing'*

(Wildlife Crime Police Officer, South West, 2017).

The next stage of the crime commissioning script, to follow from where we left off in the previous chapter, which concluded with manoeuvring shot deer in transit, transforms illegally killed mundane fauna to illicitly processed venison: from wildlife crime, to food crime. The rural worker suspects embodying the countryside careers category do not own retail operations, so have to accomplish more tasks before the commissioning process is completed and financial profit can be derived from a kill. They will be explored in the following section and will consequently constitute much of this chapter, due to the additional activities they must undertake. The rural and meat business owners, within the meat enterprise owner category, need only to accomplish one more objective before they can sell the illegal meats, 'legitimately', from their

retail premises. As owners of production they need not labour as much as the rural workers. As discussed throughout, Belanes is a high street butcher and Red Sparrow Burgers is a mobile food vendor. Both also provide mail order wholesale of meats, and also own land, in the form of fields and farms. They have organised and participated in all of the stages of the mundane fauna commissioning process and were the two main suspects of a multi-agency wildlife and food crime police operation; from acquiring land on which to kill deer, to arranging shooters, to transporting carcasses, to butchery and sale of product to customers. Meat retail suspects only need to accomplish two more stages in the script, which is included as figure four, at that start of this chapter. This is because owning meat retail premises means they do not have to utilise wholesalers or seek out an unscrupulous (or unwitting) outlet to hawk the hot goods.

Before the final sale of venison to the consumer, the carcass must be skinned, eviscerated and chopped up. This is a process known as gralloching. This task must be performed by a trained (industry accredited and professional) person and cannot occur on the same premises where meat for final consumption is sold to a consumer, or it is in breach of EU food hygiene and game meat regulations. These regs are enforced by Environmental Health (EH) officers working in the local authority district where the 'hunters' are based. Respondents suggested that Belane completes the gralloching stage in the same fashion that they accomplish the illegal dispatch of deer; the suspects utilise the services of rogue carcass handling 'professionals' who have illegal cutting rooms in some under-regulated premises; ultimately constituting slaughter men for hire, with spare space on farms. Invariably this simply takes the form of deviant farm owners or rural workers who have the required skills, equipment and spare space to cut up multiple carcasses systematically and covertly. Belane, as a trained butcher, almost certainly has the skills required to complete this task. However, it is unpleasant work, so instead the suspect organises and employs others to do it. This approach therefore mirrors the stages which saw the suspect employ hired guns to illegally dispatch deer (rather than shooting them himself), earlier in the script, in the previous chapter.

These tinges of expressive rationale become clearer when contrasted with our other meat enterprise owners, Red Sparrow Burgers. These suspects carry out their own gralloching and chopping in a makeshift illegal cutting room on their farm, according to investigative agency data. This practice does not meet industry standards because the rooms are not registered with the local authority as official food business operating premises and fail to comply with regulatory protocol.

Illegal slaughter rooms were exposed on more than one occasion as was regulatory non-compliance with food processing standards, and both feature within grey livestock meat production processes and those of grey game. A key expert respondent was the main investigator of a major illegal slaughter case. It was the first to utilise the Proceeds of Crime Act and to take a mundane fauna case to a Crown Court, where the offender received a custodial sentence (BBC, Devon, 2017). The rogue farmer was revealed to be using his own land, equipment and professional skills to slaughter tens of thousands of sheep. The premises were reportedly being frequented by ‘hundreds’ of local farmers requiring his services. My respondent explained that legitimate slaughterhouses in the locality had long ago closed down and were charging double for the services that the illegal slaughterhouse provided. The local business that the Belanes are known to use to cut-up their illegally taken deer, states on its website that they are ‘run by a professional team with over 100 years of experience’. It is at this stage of the script that illegal meats will be integrated with lawfully obtained stock. When carcasses are being cut-up in illegal chopping plants, in a proximal context significant for its absence of capable guardianship, it is simple for operators to conceal the illegal meats with other produce. Such grey market activity is so deeply embedded that it is nearly impossible to disrupt due to its imperceptibility: its surface appearance is no different to lawful venison meat production. A factor which is a significant problem when compounded with an absence of expert guardians:

*Orlando: ‘And the AGHE’s [Approved Game Handling Establishments, processing plants and dealerships] who are taking carcasses no questions*

*asked, why aren't enforcement agencies going there and asking for the proper paperwork or else say they're breaching legislation?*

*Expert: Well you ask them that! They've been to Chinaskis, which is the big game dealer near [...], Chinaskis at [...] and they've been there and asked to see their records, but even if they turn up and if somebody like, Tommy Gawker, if they turn up and he's got records for every 50 deer in there, they have no way of knowing if he's handled 150! If the carcasses are not there hanging in the chiller, then there's no way of knowing what's passed through his hands. And a lot of these people, certainly Gawker and other game dealers, they have outlets where they can shoot the carcasses very quickly, within a day or two, they're not hanging them in a chiller for any length of time.*

*(Deer surgeon and animal welfare expert, South West, interview, 2017).*

*'There's another aspect to that financial side of unscrupulous methods, subletting and handshake agreements, you sometimes have unscrupulous sporting agents, who will legitimately have some call on the deer and they may have an agreement with a landowner to say I'll shoot five stags and hinds, or something, and that's what they put on their returns, but actually they shoot 15 stags and 30 hinds.*

*In the deer world, I bet you wouldn't have to look very far at all to find connections between legitimate stalkers and illegal activity'.*

*(British Deer Society, interview, 2017).*

### **6.3 Scene 7; Meat enterprise suspects integrating illegal produce with legitimate goods**

Before the final scene in the meat industries enterprise script is achieved, illegally taken and illicitly processed meats must be integrated with legitimate produce, to conceal its identity. If integration has not been successfully achieved

during the prior scene, in an illegal cutting room on a farm or in an outhouse, then it will occur on a retail premises. This scene is achieved by motivated enterprise offenders by carrying out the activity behind closed doors, on private property, in their premises and away from observers and witnesses. The origins of the carcasses are unverifiable, due to an absence of capable guardians checking that the operatives are complying with food safety regulations and lawful methods of dispatch. An absence which is caused by a combination of contingent conditions that are discussed in detail in the following chapter (7).

#### **6.4 Scene 8; Sell to final customer**

Once illegal meats are successfully integrated within legitimate enterprise activities, they are sold in the suspects retail outlets. Within the enterprise owners' script, the outlets are identified as butchers, which also deliver to local holiday parks in the form of a wholesaler, and a mobile food vendor, which undertakes the same business model. The industry category has less stages to accomplish final sale and therefore minimises the production facets or scenes of the script that are vulnerable to regulation processes; a situation that reduces the opportunities for intervention by capable guardians, and which is observable in figure four of this chapter, and comprehensively in appendix two. The wholesale of meats delivered in large quantities to major customers, such as holiday parks, provides an ideal mass end market for illegal produce. This matter also highlights the importance of the script for intervention by capable guardians, in that certain agencies have regulatory powers to intervene at particular moments of the script. The power of this script is to therefore highlight that it is not only the local police force who have governance over this problem. Trading Standards are designated with accessing the final product being sold to consumers and frequently visit the butchers to authenticate meats.

The final sale of illegal venison by meat industry suspects is typified by the position of the final consumer. In this script the customer takes the forms of the public purchasing meat from the butcher, buying cooked food items from a mobile vendor at events (burgers, hotdogs etc), or businesses such as hotels,

holiday parks, restaurants and pubs ordering their product from wholesale to then serve to a final consumer. These purchases appear to be made by persons unaware of the illegal origins of the meat or the illicit processes (avoiding food hygiene regulations) that it has gone through. They are therefore victims of food criminality; purchasing stolen goods and funding the reproduction of the illicit enterprise processes, from illegal taking at the gate, to illicit processing for the plate. It is these unwitting customers who could become the victims of contaminated meats, due to inexpert dispatch and processing methods. It is at this final stage that the offending has significant impacts upon public health. These unwitting consumers of illegal meats will be contrasted below with unscrupulous clients who knowingly collude with countryside careers venison suppliers.

## Part Two

### Act Two, Scene Four: Countryside Careers Script

#### COUNTRYSIDE CAREERS ILLEGAL PROCESSING SCRIPT

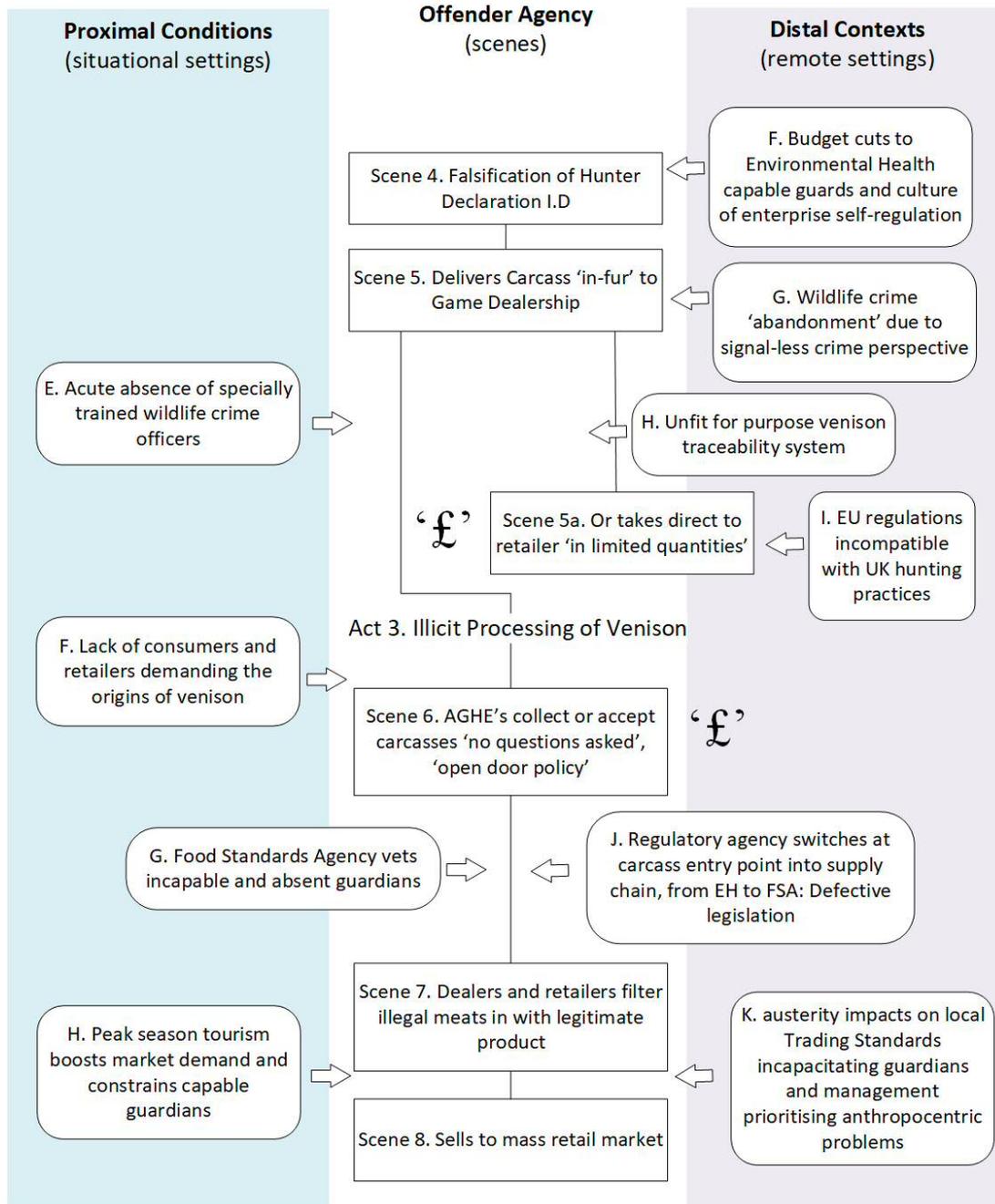


Figure 5

## **6.5 Falsification of hunter declaration by dishonest rural workers**

The following sections refer to the grey game activities that the rural worker countryside careers suspects must accomplish to profit from illegally taken deer. The organisational characteristics of this specific commissioning process is visualised above, in figure five. These types of suspect must interact with middlemen, such as an approved game handling establishment (AGHE), which is a medium scale operation consisting of a cutting plant processing unit that wholesales to retail outlets as a game dealership. A precise script focusing in on the interactions of rural workers with the AGHE is visualised in figure six, located at the end of this chapter. They also benefit from the services of unscrupulous outlet operators to derive profit from illegal carcasses. Such processes constitute additional scenes in the elaboration of the script and therefore make the process more vulnerable to disruption. The enterprise owner suspects can swiftly transit illegally taken deer straight to their premises, or an outhouse cutting room, as discussed earlier. It is at this stage that the commissioning process evolves from a mundane fauna crime to a game food crime. The FSA Food Crime Annual Strategic Assessment suggests; 'Food crime predominantly consists of serious and complex food fraud. Regulatory non-compliances are more common – at their most serious, and where there is dishonesty, these may also constitute food crime' (FSA, 2016: 9). Therefore, offending is here defined as a food crime, due to the persistent dishonesty of rural and meat enterprise offenders within the grey game processing industry (Croall, 2007). Such dishonesty will be outlined as essential characteristics for achieving the next turns of the script.

If the dispatcher, in the form of a dishonest hunter or gamekeeper fulfilling the countryside careers position, wishes to enter a carcass into the meat supply chain 'in-fur' (meaning pre-skinned and not butchered), they must be a 'trained person'. A trained person is a qualified hunter who in accordance with local authority statutory food regulations may supply 'limited quantities' of meats in a marginal geographical area. Such limited quantities may be to personal acquaintances and also directly to retailers, such as pubs or hotels, but the carcass must remain 'in-fur'. This stipulation is supposed to limit the number of

carcasses supplied directly to retailers, because it is unlikely the restaurant or pub will want to skin the carcass themselves. It is a time-consuming and unpleasant process involving the removal of faeces, ticks, fur and skin. It therefore limits the appeal of the product in its primary form. Should a hunter wish to commercially supply skinned carcasses in higher numbers, they must gain stricter and additional official accreditation with the local authority and have the proper facilities. Such facilities include a hygienic cutting room and a game larder to hang corpses. These must comply with proper standards and be verified by environmental health.

The Food Standards Agency Wild Game Guide is the industry standard manual used by agencies and hunters to refer to the regulation, and is available online (FSA, Wild Game Guide, 2015). To become a 'trained person' and receive a hunter number, one must obtain a Deer Stalking Certificate Level One (DSC1). The courses and examination are managed by the National Game Keepers Organisation and can be achieved in a few weekends. The point of this is to teach the hunter the best practices of dispatching deer. The course teaches students how to humanely, hygienically and safely handle wild game, to minimise suffering to the animal and to be aware of its pathology. Such awareness is imperative because an untrained eye will be unable to spot a deer carrying TB: the consequence of which could be catastrophic. An ethically minded trained person will also care about the creature and not shoot one which is nurturing young, infirm or a juvenile. The hunter's identification number will then accompany carcasses onward into the supply chain, as a 'hunter's declaration tag'. This is the best practice, if legitimate processes are adhered to. These meagre processes amount to a traceability system for venison meat production. Meagre, because when contrasted with seafood and livestock traceability systems, they are less than a lip service to auditing and cataloguing the origins and route the meat has taken, from the field to the consumer. Many of my expert respondents expressed incredulity at the vulnerability of the process to chicanery. The tag is literally a piece of paper stapled to the dead body of a deer, smaller than a Christmas card, hard to read and easily blemished. It is also easy to counterfeit with fraudulent details. I was shown many tags during the research; the process, which has no electronic or digital counterpart, is highly vulnerable to

misconduct. A trained person, registered with the local authority as a primary producer food business operator who has achieved the DSC1, is lawfully able to dispatch deer and supply it to the venison production industry with the hunter ID declaration tag attached to a carcass.

Much like how it is the duty of lawful firearms holders to act responsibly with their weapons and for owners of lands in the forms of estates, farms or properties to fulfil their responsibilities as countryside custodians, the DSC1 hunter declarations are vulnerable to abuse in the form of falsification of details, due to the absence of control mechanisms verifying their authenticity. This absence provides significant motivation to rural enterprise offenders. Countryside careers suspects embedded in rural industries effectively use the accreditation as a licence to kill, and the credential is the final piece in the official documentation jigsaw required to profit from illegal meat sales, as the expert quoted below reports:

*'If firearms are being used, then it's almost certain that the people who own section one firearms are going to have legitimate stalking rights somewhere, because you're not really going to get someone doing poaching with an illegal firearm, because the consequences of the poaching pale into insignificance if they get caught with the illegal firearm.*

*So they will always certainly have a legitimate reason for having that firearm, and they may well have the stalking rights on a hundred-acre farm somewhere, but they're shooting two hundred deer a year, because they're going all over the place, doing it illegally.*

*But to that restaurant owner, or that game dealer, all those animals that he takes in, as far as he knows come from that legitimate stalking ground. So they can be unwittingly taking illegally sourced venison and of course that's why the main reason a police investigation is going to go nowhere, because you can't prove beyond reasonable doubt.'*

(The British Deer Society, Training Manager, interview, 2017).

The Food Standards Agency Annual Strategic Assessment notes that falsified or inaccurate documents is particularly problematic for traceability systems in this context: *'Fraudulent documentation can be used to avoid taxes and duties and it can also be used to cloak the origins of a product, meaning it is impossible to trace its origins and whether it is fit for human consumption'* (FSA, 2016: 45).

A distinct type of countryside careers suspect abusing their official DSC1 accreditation at an extreme level emerged in the findings. He was causing the local authority environmental health and legitimate deer stalkers such concern by his high level of illegal enterprise taking that the regional branch of the Deer Society paid for a proactive environmental health officer to complete his DSC Level 1 qualification, to better understand how to respond to the suspect. This was the only instance of what might be referred to as 'poacher tourism' or trophy hunting recorded in the research. The suspect runs a business that hosts wealthy blood sports enthusiasts on game shoots in the rural West Country. Respondents suggest that he lets the paying guests keep the deer's antlers (the 'trophy'), while he benefits from the carcass. Guests are reportedly mostly foreign, from Europe and London. The suspect is also known to run a closed Facebook group for game shooting and field sports enthusiasts where he is constantly demanding deer carcasses. An expert from the region that the offender operates in, who works for the British Deer Society, reported during interviews, that the offender falsely applies his own hunting credentials on to any carcasses that he is able to obtain from others, thus contravening traceability systems and exploiting his DSC1 trained person certificate for financial gain. A breach of regulation which constitutes a food crime. This finding also illustrates the ease with which compliance measures are subverted, due to a notable absence of capable guardians regulating the process. The suspect would then sell the obtained carcass with his own hunter details onward into the supply chain, as if he was the primary producer, or legal dispatcher of the animal. As a rural expert and deer stalking teacher expressed to me during one of our many conversations:

*'I know more than one person, but this person in particular. It's funny, we were talking about it this morning. He's now got an advert on social media requesting pigeons, rabbits and venison, for which he will pay people...*

*But the other part of that is, this guy is qualified with a deer management qualification, so in deer stalking particularly you get a Level One meat handling hygiene certificate, which makes the hunter the primary meat inspector, like the vet would be in an abattoir.*

*So if he's now requesting venison from all and sundry on social media, now that then, because the whole idea of the meat handling hygiene certificate and the level one, is you get given a Hunter I.D number, which is attached to you for life, so if you shoot a carcass or if you shoot a deer and you then want to send that to a game dealer or move it on to someone in the public domain, there should be tagged, so traceability is obviously present...*

*There will be people shooting deer with all manner of things, because there's an advert asking for the very thing that they can get. So he's going to be accepting venison from all and sundry. Mostly, probably, well we can't really say that, but it's an open door to illegal taking of deer, with no traceability whatsoever'.*

(British Deer Society Assessor, South West, interview, 2017).

*'The guy is also a trophy hunter, so he takes out paying clients, now the Roebuck season came in on the 1st of April, the Roebucks began. And two and a half weeks into April, I saw a photograph on a closed Facebook group owned or ran by this particular person and he was boiling up trophy heads, skulls if you like, you know you see those skulls with antlers on the wall, sort of thing?*

*Well there was twenty-seven! Roebucks there and that was two and a half weeks into the season, and that apparently, by his own words and admission on that site, was his 'second batch'.*

*Because those animals don't mate until sort of July time, so those twenty-seven aren't going to get that chance to mate are they? So not only is it twenty-seven*

*that aren't there, it's twenty-seven that haven't been able to mate. And that's potentially hundreds of deer that aren't being born.*

*So it rolls on into the decline of a wild animal in a very specific location in a very small area of the country. And he's one person and he's now opening the door to other people to do the same thing, all with the same end goal of financial gain'.*

(Deer stalker and British Deer Society Assessor, interview, 2017).

This suspect is able to profit from this process because those shooters without professional accreditation and shooting permissions must sell illegally shot deer for well below the market price, because their options of seamlessly shifting stolen goods into the marketplace are severely limited – they lack professional contacts and access. The suspect therefore is effectively creating demand for poached deer that would otherwise not be killed. The practice of hunters passing carcasses between themselves is outlawed in game meat regulation, which stipulates that a primary producer cannot pass a carcass onto a peer; they must go straight to the AGHE dealership, or to a retailer. This is to preserve the direct traceability chain, by limiting the amount of times a carcass has been handled. It thus reduces the potential for contamination of the meat and decreases the persons who are potentially responsible should a problem arise.

The DSC1 accreditation allows rogue operators to obscure this scene of grey game activity, because there are no witnesses to the process and the origins of the deer. While village pubs must source legally produced alcohol to sell to consumers and would be shut down immediately if they breached this practice and were caught hawking moonshine (or would refrain from doing so due to health concerns), the same is not the case for sourcing venison. This is because the illegal origins of the product are deeply integrated within the enterprise processes which provide the superficial appearance of legitimacy. No guardians are quantifying how many deer are killed and having tags applied to them, so the illegally killed deer, none of which are registered on any state-wide database systems, nor do they have records kept of their dispatch, can disappear into a

cutting room and be butchered before any statutory bodies are even aware the deer has been taken from the rural wilderness, or that it had even existed in the first place. It was neither registered as living, nor dying, because it is a wild animal and can therefore be clandestinely killed without a trace. The proper process of a legitimate butcher or restaurant is to keep invoices that record the hunter number, so the product can be traced back to who killed it, where and when. While the unscrupulous wholesaler or retailer can process the item straight onto that week's menu, especially at Christmas during peak demand, thus no invoice, record of transaction or trace will be left. The only trace will be financial, where significant gain will be made. This point was highlighted to me by a local expert deer surgeon and police expert witness, whom I interviewed twice:

*'This market is fuelled by two elements, one is that game dealers, AGHE's, the Approved Game Handling Establishments, ask no questions about the origins of the deer. And they are supposed to come in with a tag and a hunter number, under the game meat regulations. The local game dealers don't bother with that.*

*There's a chap called Tommy Gawker who buys hundreds and hundreds of carcasses of illegal deer.*

*The second problem is the number of pubs, restaurants, cafes, hotels that buy back-door carcasses and a lot of these illegal deer are sold in the skin straight to the back door of a hotel or a restaurant and you'll see on many, many local menus it says local venison. When you ask them where it came from, they neither know nor want to.*

(Deer surgeon, and animal welfare expert witness, interview, 2016).

Rogue licence holders are able to exploit their qualification as a 'trained person' by attaching their ID tag onto any carcass, regardless of whether they lawfully dispatched the deer. Indeed, they may have dispatched it legally, or killed

it illegally, or they might have acquired it from somebody else. Once an official tag is attached, the item is officially associated to them and can then legally move into a venison dealership or wholesaler. In the venison industry the largest of these wholesalers are known as Approved Game Handling Establishments, or AGHE's.

## **6.6 Scene 5: Carcass delivery 'in-fur' to approved game handling establishment game dealerships**

According to multiple conversations with experts on the ground, the hunter declaration protocol is little more than lip service to an auditing system to record and regulate deer entering the meat supply chain. This is especially pointed when comparing the traceability process with the stringent systems in place for commercial fishing by the Marine Stewardship Council or livestock regulation. In those systems, passport identifications for cattle are mandatory as are strict quotas on all aquatic produce, which is weighed and verified at dock. No official data is recorded or inputted onto a nationwide online database, records are not maintained, verified and permanently catalogued, nor do quotas exist on how many deer one hunter can kill per season. The process of delivery of illegally killed deer carcasses 'in-fur' can be said to be critically under-regulated, or de-regulated entirely.

The only time a hunter declaration will need to be presented to a regulatory agent is if Environmental Health or Trading Standards visit a premises. Such visits now happen every two years, since severe public spending cuts and institutional shifts to 'self-regulation' (Edwards and Gill, 2002). The declaration tag that is supposed to stay with the carcass while it is in-fur, until it has been butchered for final consumption, should contain the time, date and place the deer was dispatched. It will also include the hunter's details and will register the observed pathology of the deer. Respondents informed me that all of the above required data is routinely ignored, manipulated and falsified, because it was so simple to do so, due to weak regulatory measures and an absence of guards. The gains outweigh the risks, because no capable guardians, in the form of regulatory

officers, are present to verify the documents or to inspect the carcasses. Rogue hunters delivering meat to AGHE's, as visualised in figures five and six, are known to falsify the times, dates and locations of declarations on carcasses due to an acute and systemic absence of guardians present at the time of offending to witness or challenge the dishonesty. Controlling the entrance of venison carcasses to the AGHE dealerships is the Food Standards Agency's statutory obligation. However, they are rarely present during the nocturnal hours that illegal carcasses are delivered or collected by roundsmen (a nightly system of collecting carcasses from rural workers). A compounding mechanism to the ineffectual traceability system is that hunters are often uninclined to state the location that the deer was shot. This trend is apparently shared by law-abiding hunters as well as suspects, because it reveals their potentially lucrative hunting grounds, which are abundant with deer, to rival operatives. The ineffectual traceability system is being deliberately subverted by operatives to hide their hunting locations. Various key expert respondents in senior expert practitioner positions described the weaknesses of venison traceability systems to me:

*'What documentation does he need? He just needs a tag, I didn't bring any with me. It's just a white.. You fill in where you shot the animal and that's it. That's no traceability, and nobody's doing anything with that information anyway.'*

*'Traceability is just so poor, why aren't the FSA enforcing the AGHE to make sure all those hunters are registered with the local authorities? That's easy...'*

(Senior Environmental Health Intelligence Officer, Devon, interview, 2018).

### **6.7 Scene 6: Countryside careers suspects: AGHE dealerships collect and accept carcasses 'no questions asked'**

Multiple expert practitioners identified unscrupulous AGHE's who ignore the official declaration requirements and will accept any carcass, from whoever. This activity is effectively generating demand for illegally taken deer with

unverifiable origins and enables the illegal taking of deer by rural workers. Without this demand for illegal meats, rural rogues could not shift the stolen goods for profit and would therefore cease to illegally take deer. Or they would poach much less, because there are only so many 'in-fur' carcasses a restaurant will accept at a given time. The deviant AGHE's collude with the dishonest hunters, or ultimately anyone with a deer carcass, which can be visualised in figure six, at the end of this chapter. Other, legitimate, AGHE's have no way of ascertaining whether the deer being supplied to them is legally or illegally taken, once the potentially falsified declaration tag is on the deer and the official documents have been reviewed, thus also generating the conditions for offending, but not intentionally, like the directly-conniving examples. Suspects downstream of the script, such as Chinaskis AGHE, operate a 24-hour carcass drop-off point, which accepts anonymous carcasses. This venison dealership is said to then apply their own 'in-house' hunter numbers to the carcasses, thus distorting the origins of the carcass, as the following expert reveals:

*Expert: 'And the other thing you need to look at Orlando, there's a game dealer down in [...] and out of hours these lads don't even have to see anyone. Out of hours these lads can just turn up, fill out a ticket and then put this deer into a freezer and in it goes and the money just gets transferred into their bank account.'*

*Orlando: So it's completely anonymous?*

*Expert: Well they have the bank account number, so there's a bit of traceability there, so if anyone comes to you, you can say 'oh yeah I've got 20 acres, I shot the deer on there and that was that', they can bring it in anytime day or night. If people haven't got to see other people, it almost makes it easier for them.'*

*Orlando: I had no idea.*

*Expert: Yeah I think the firm in [...], or [...], [...] I think it is! It's called Chinaskis, yeah that's what they're called.'*

(National Park Head Ranger, interview, 2016).

*Expert: 'Places like Chinaskis you can just drop a deer off.'*

*Orlando: it seems highly problematic that there's an over-night anonymous drop off point.*

*Expert: Exactly, all you have to do by the law is put a tag on it and in theory you're supposed to say where you shot the deer, but again hunters may not do that because they're fearful that other hunters will go in there and see the tag and..*

*Orlando: Steal their patch?*

*Expert: Yeah exactly, their patch, and some of these people that go around collecting, I've heard that they'll just put tags on regardless. It's just a paper tag, it's easy to take off, isn't it.*

(Senior Environmental Health Officer, Devon, 2017).

Other AGHE's use a roundsman system, which is an industry procedure where a refrigerated vehicle collects carcasses from shooters to deliver back to the dealership for processing. This process sees roundsman traverse known deer rich rural locales, liaising with hunters and effectively harvesting as much produce as possible. The activity is a legitimate business practice, but once again, due to the notable absence of capable guards, it is highly vulnerable to fraudulent activity, as the following expert notes:

*Expert: 'I know, it's been reported to me from a reliable source, that game is, somebody will just turn up with a truck and a trailer, with a round, come into the South West, take game off hunters, which may be poached as well, cash in hand, pay for the carcass, in fur and take that back to the AGHE, approved game handling establishment, this is legit, again, the middle man can do that, and there it will enter the food chain, legit, so that's where the mark up is.'*

*I'm not sure the Food Crime Unit is aware of the problem... I know who it is, this person collecting and where it's going..*

*Orlando: [place name]?*

*Expert: Well he'll come down from sort of [...] area, shall we say, he'll come down via the M5, [place], skirt the area, [place] and then go back again. That's his round, collecting deer. Back to [...] area, that's going back to an AGHE. That's going to be a lot of meat. And [...], and maybe I suspect that's going to be going to the London market'.*

(Senior Environmental Health Officer, Devon, interview, 2017).

This business activity is lawful and will ostensibly be picking up legally hunted deer from industry professionals on the collection route. However, the process is vulnerable to malpractice, because the ancillary acts of concealing illegally taken deer by integrating it with legitimate dispatches is impossible to detect in unguarded spaces. Impossible, unless a guardian is present at the time of the kill and witnesses the handover. Roundsman systems and AGHE drop-offs are accepted and lawful practice in the game meat industry. However, these grey game rogues will accept deer in any state and apply their own professional accreditations to carcasses, which enables otherwise dormant motivated offenders. The process creates demand for illegally taken deer when there was none before. The AGHE will then process the carcass and integrate it with legitimate meats, thus concealing its origins, before sending it through the supply chain, in wholesale form, to retail operators. This concealment practice will occur before the state of the bad meat can be determined by regulatory experts or before anyone is aware of the illegal business activity, as this expert reported:

*'What is taking place is, there are people, the legislation allows them to collect game from hunters, no questions asked, cash in hand, and they will travel. I know, it's been reported to me from a reliable source that game is, somebody will just turn up with a truck and a trailer, with a round, come into the south*

*west, take game off hunters, which may be poached as well, cash in hand, pay for the carcass, in fur and take that back to the AGHE, approved game handling establishment, this is legit, again, the middle man can do that, and there it will enter the food chain, legit, so that's where the mark up is. There's too much game being taken just to enter pubs, car boot sales, etc, that is where the majority of it is going.*

*I think the problem is that the legislation is such that the scenario that I outlined, can be legit, it is legit, but the guy doing the round or buying the deer off the hunters, again it's a grey area, it encourages that criminality, it's easy, it allows that person to poach a deer, or obtain a deer, shall we say, and pass it on easily and it's fine. This guy comes along with a trailer, picks it up and it disappears again, he gets cash in hand, its easy money isn't it?*

(Senior Environmental Health Officer, Devon, interview, 2017).

## **Part Three**

### **Structural Context of the Meat Processing Industry**

#### **6.8 Normalised meat industry regulatory non-compliance**

Offences being exposed in this chapter are internally related to the grey game market and the meat industry in general. During the period of the current writing, major actors within the licit mainstream industry were shown to be sub-standard and regularly in breach of food production hygiene regulations. Russel Hume, the supplier of meat to the Hilton Group, Jamie's Italian and Weatherspoon's pubs, collapsed and 300 jobs were lost, due to a 'meat hygiene scandal' involving substandard professional practices (Goodley, 2018). Steaks were identified as being contaminated on a large scale and being sold to high-street eatery chains for public consumption. A branch located in Devon was shut down during the research. Only a few months prior to that, the largest poultry supplier in the UK, Two Sisters, was found to be altering 'kill dates', or the records

on the source and slaughtering of animals, to prolong the shelf life of the product (Monaghan, 2018). This constitutes breaches in food hygiene regulations. In 2013, the horse meat scandal took the nation by surprise and put the meat industry into the spotlight, resulting in major structural alterations to food production regulation in the U.K, such as the formation of the Food Standards Agency Food Crime Unit (Levitt, 2016). During the 1990's the U.K rural community and country in general was gripped by the BSE crisis in cattle, which saw most of the country's livestock decimated. However, despite recommendations by leading food experts, the contemporary meat processing industry is still reportedly regularly in breach of laws. Official inspection figures reveal 'there were on average 16 major plant safety infractions every week between 2014-2017' (Wasley, 2018). Well over half of the meat processing premises inspected by the FSA were found to be criminogenic.

Slaughterhouses or AGHES, which supply meat processing plants, are a significant part of the meat processing industry. They have been identified on countless occasions to be engaging in harmful and improper practices. Animal welfare NGO's and the investigative media regularly covertly film the cruel mistreatment of livestock (Animal Aid, 2015, 2017), while the FSA identified over 4,000 'major breaches of animal welfare laws' spanning from June 2014 to June 2016 (Walsey and Robins, 2016). Abuse and intimidation of mandatory on-site Food Standards Agency vets is also a normalised practice in abattoirs (Wasley, 2017). The majority of human victims have cited on-site intimidation and, according to the secondary reports, have experienced physical abuse, which has driven some FSA vets to attempt suicide (Davis and Wasley, 2017). These factors are critical for an explanation as to why capable guardianship at venison processing plants or AGHE's is absent or incapable.

## 6.9 Necessary conditions for incapacitating capable grey game enterprise guardianship: Distal script settings

*Orlando: 'So these shop fronts that might be selling venison, why aren't they doing the same thing with prize lamb? [stealing it, illicitly processing it and selling it]*

*Expert: 'Because of traceability, that's the bottom line. If they're rustling and trying to sell that, there's a lot more trace-ability of sheep and livestock than there is of venison.'*

*Orlando: So livestock theft is a higher risk?*

*Expert: Yes, it's a lot higher risk.'*

(Rural Crime Initiative and National Park Head Ranger, interview, 2017).

Severe inadequacies with the ways the different sectors of the meat industry are regulated were identified regularly by numerous expert practitioners in control agencies governing venison processing systems in the rural West Country. Senior expert respondents mainly identified the problems as being poorly written legislation, which ineffectively regulates the way meats enter regional supply chains. Policy makers were accused by local regulatory officers in the South West of not taking the issue of game meat impropriety seriously enough to ensure proper compliance to standards: standards which themselves are found wanting and ineffective at ensuring capable guardianship. The deliberate breaches of venison traceability systems by dishonest hunters being revealed in this chapter constitute a food crime, but the traceability systems they are subverting are unfit for purpose. The game meat industry is perceived as a low-priority production industry by policy makers and subordinated not only to anthropocentric imperatives, but to other food industries. Such issues can be recognised as the necessary conditions which enable the scripted industry-based non-compliance with lawful venison

processing practices. This expert reemphasises some of the problems ingrained into the structures of venison processing regulation:

*'I think the problem is that the legislation is such, that the scenario that I outlined, can be legit, it is legit, but the guy doing the round or buying the deer off the hunters, again it's a grey area, it encourages that criminality, it's easy, it allows that person to poach a deer, or obtain a deer, shall we say, and pass it on easily and it's fine. This guy comes along with a trailer, picks it up and it disappears again, he gets cash in hand, it's easy money isn't it?'*

(Senior Environmental Health Officer, South West, interview, 2017).

A severe resource deficit is a major feature of the contingent conditions that enable motivated wildlife and food crime offending (as discussed in the following, penultimate chapter), due to a prolonged reduction in public expenditure on state agencies and especially those in rurally abandoned regions; regulatory bodies such as Trading Standards and Environmental Health have both had staff reduced by 50% in the past 8 years and their district jurisdictions expanded. Their resources have been halved and their workloads doubled, which severely incapacitates effective capable guardianship. However, the precise generation of the problem during this distinct scene of the processing script was identified by practitioners on the ground, in other dimensions. The core problem was identified as emanating from overly complex and poorly designed policy, policy that designates which agencies enforce what laws at precise stages of the script. Incompetence at policy level had created needless obstacles, according to senior respondents; Environmental Health (EH) are responsible for enforcing compliance over primary producers: (dishonest) hunters in the field, rural workers with freshly dispatched deer hanging in the game larder. But when the gralloched carcass is passed onto the AGHE (the critical segment of the food crime being discussed), enforcement falls to the FSA. That agency enforces statutory compliance with commercial game meat regulations, once amounts of venison increase to more than 'limited quantities'.

This is a significant problem, because like the regional wildlife crime officers, the local EH are on personal terms with the local hunters and have built good working relationships with them: a factor that tends to reduce potential illicit activity, if regulatory accommodation is avoided. However, due to policy, the local EH agents do not know where hunters have supplied their carcasses to, because the FSA regulates the AGHE dealerships. Likewise, the FSA agents are associated with the AGHE operators, due to providing oversight to those businesses, but are not privy to the upstream details of where the carcass originates. Then, once the processed venison leaves the AGHE dealership and arrives at a retailer, such as a café, pub or restaurant, it falls to Trading Standards to ensure statutory compliance of a sellable foodstuff.

At a critical stage in the crime script and one that is significantly exposed to illicit enterprise activity – the transfer of illegally taken deer into illicitly processed venison, misrepresented with falsified hunter’s declarations, from hunter to AGHE meat processor – the enforcement agency abruptly shifts, multiple times. This entirely avoidable regulatory glitch derails the foundational supports to preventing grey game enterprise activity by capable guardians and forces their absence at a critical juncture. It has been noted by respondents as problematic on a number of fronts:

*Expert: ‘I was speaking to an AGHE yesterday and he’s got 30 hunters supplying him, from Devon and the South West. We [EH] haven’t got that [information], there’s no requirement for him to give us those details, because we don’t have that enforcement role and I’m pretty sure that the FSA don’t know who those 30 hunters are supplying that AGHE with deer and that’s ridiculous, with regards to traceability*

*Orlando: Because anyone could be supplying those hunters who are supplying the AGHE?*

*Expert: Exactly, there could be dogs, they could be poached... Again, with the Illegal Meat Group, we have worked with the FSA and said will you provide us*

*with this information, but they haven't. A large amount of meat is entering the AGHE's as poached meat, and they need to put the controls in place.'*

(Senior Environmental Health Officer, the West Country, interview, 2018).

*Expert: 'In an ideal world what would happen is people like Chinaskis or Devon Game would turn around to us and say 'here's our list of hunters, these are all the people who are supplying me', because they have to have those in place, those records in place, traceability.*

*And then we should be able to trace back those hunters and say I understand you're supplying Chinaskis, are you aware you're supposed to be registered with us, because you're in our area, please can you fill out this form and I'll come and have a chat with you, and that's pretty much what it is. It's very informal.*

*Normally when we do our inspections we put our whites on and we go into a Kitchen, we make everyone feel really nervous, game hunters are a bit different to that because you're normally standing outside in the cold and you're just having a chat about what it is they're doing, to gain an understanding, or gain an insight of their understanding at least.*

*So that would be the ideal, in getting information from the AGHE's, but they aren't very forthcoming with that information. So, the only reason I can think of is that they know, and I'm fairly certain that Chinaskis knows that they are taking poached game, absolutely certain of that. You can drop game off at Chinaskis any time of the day or night...*

*Orlando: this is what I've heard and as I was coming into studying this, as someone on the outside, that was just spellbinding. Completely anonymous, staple your bank details to a carcass, the next day I've got £300 in my bank account.*

*Expert: It's ridiculous, it really is. Now this is the problem, it's FSA enforced. Now if the FSA aren't willing to tackle that, what choice have we... We have no enforcement responsibility in this business.'*

(Environmental Health Enforcement Officer, Devon, interview, 2018).

This critical problem which explains why expert capable guardianship is absent at this vulnerable stage in the venison supply chain also emphasises the importance of why this thesis has separated offenders into two inter-related, but distinct, offender categories; different agencies enforce compliance standards and laws at distinct turns of the crime script. Wildlife crime police officers and park rangers have enforcement responsibilities for disrupting the illegal taking of deer in the indefensible rural wilderness, while Trading Standards exercise authority over retail premises selling illicitly processed meats, and Environmental Health, and the FSA, work with carcasses or primary produce. Therefore, motivated offenders being conceived as the rural workers who operate illicitly in the grey game markets at the supply chain stage, should be guarded by the EH and FSA, while enterprise owners such as butchers will be guarded by Trading Standards and episodically, EH. The distinct scripts being offered are separated for the analytical benefit of accurate explanations of offending and to assist those actors in intervening at exact stages of the crime commissioning process. A breakdown in communication between the separate capable agencies was also notably arising from the poor structural conditions of the bad legislation:

*'The other thing is we talk to the FSA and we say to the FSA, you need to start providing this information to us. Now we have done that, but all we got from the FSA was attitude.*

*So I don't know if Chris told you about when we went to Chinaskis to do the training day, I think it was last year. We went to Chinaskis, a load of enforcement officers and the FSA vet stood there and he was pointing fingers at us saying 'you local authorities, you're not registering these hunters!'*

*Well how are we supposed to register them if we don't know about them? Surely that information should be coming from you who is overseeing the*

*regulations in the cutting plant and you should be saying, 'I've got so many hunters here, they're all in your district. are they registered?'*

*And that way we could trace them back, but that's not happening so that's where we're falling down at the moment'.*

(Environmental Health Enforcement Officer, Devon, interview, 2017).

The internal problem at this turn of the script is not an absence of guardians, but rather the incapacitation of capable, local ones, due to distal conditions. AGHE's must have a vet present during deliveries of carcasses to inspect the body. The inspection vets are ultimately the FSA guardians currently being charged as 'absent' and incapable. As contended by the expert in the quote below, a further barrier to precision capable guardianship, is that a local rural problem is being governed by an agency that is based in London and not the local authority in Devon. The FSA vets working in AGHE's (and livestock abattoirs) are frequently working in a hostile environment and far from home. This relates to both their base in London and additionally, it is reported that they are usually from Spain, due to the lack of such professional opportunities in their home country. According to my respondents, no British vet would work in a processing plant. It's been reported by multiple reputable investigative sources that foreign vets working in British meat industries endure relentless intimidation and harassment, by the rural workers in slaughter houses (Davis and Walsey 2017; Walsey 2017). These tensions and working conditions that FSA vets must tolerate create conditions uncondusive to capable guardianship of the venison production process. Experts that I spoke to highlight the incapability of the FSA guards to prevent the problems in venison processing plants:

*Expert: 'The AGHE I spoke to yesterday, he's fairly legit, he knows what's going on and I suspect he may allow a few 'grey ones' in, shall we say, because everybody else is doing so, it's accepted practice to do so. Like I said, the checks are non-existent, so it allows it. So unless those checks are tightened up, the FSA need to do something about it.*

*The problem is the AGHE's are not tasked with enforcement, it's the FSA who are responsible for the enforcement of those premises, but they've had resource cuts as well.*

*And when you've got some of those vets are coming from Ealing or somewhere, they've got an hour's journey, or more than that [over three], just to inspect a few carcasses hanging up. I went there yesterday, he had a few carcasses hanging up and a wild boar.*

*I haven't seen anything from the NFCU food crime unit, yet, personally I think it's a waste of money. They've put resources in to it, millions, just because of the professor's report...*

*Orlando: The Elliott review?*

*Expert: [nods] So he recommended the setting up of the NFCU, the FSA have done that, ticked the box... They haven't done anything. If you asked them what are your outcomes? They haven't done anything really'.*

*(Senior Environmental Health Officer, the West Country, interview, 2018).*

This expert highlights the absence or incapability's of the FSA guards and the distal conditions created by the legislation of wild game meat production:

*'But this is the problem, it's FSA forced. Now, if the FSA aren't willing to tackle that, what choice do you have...? You know, we have no enforcement responsibility in this business. I'm looking into drafting a letter to Chinaskis to play hardball with them, saying that I demand this information under the Food Safety Act or the hygiene regs. But I don't know whether or not I can actually do that because it's not quite in my patch.'*

*(Environmental Health Officer, Devon, interview, 2017).*

Guardianship at this turn of the script amounts to the careful inspection of a carcass for signs of poaching and the verification of hunter declaration tags to ensure legal hunting has occurred. The vets are tasked with checking for signs of TB and other contaminants that are harmful to humans upon consumption, but not for recognisable signs of poaching, such as dog bite marks, unprofessional shots (multiple bullet holes) and general mistreatment of the carcass post-dispatch. The FSA vets working under the conditions referred to above, according to my respondents, are likely to check for TB and other diseases and then hastily move on. Therefore, it can be said that the FSA officials responsible for enforcing meat regulations at AGHE sites are incapable guardians, due to their inefficiency at ensuring compliance with traceability systems and reviewing declaration tags to register the lawful status of hunters. If the declaration tags are falsified and dishonestly applied, the FSA vet will have no way of knowing, because it is the EH who has the hunter's records. The FSA agent does not know the working practices and codes of conduct of the hunter, like the Environmental Health officers do who regularly visit them, so do not know the genuine origins of the deer. Mirroring the issue, the EH officers do not have a list of hunters supplying the AGHE, so they do not know what their potentially unscrupulous hunters are doing with the carcasses they obtain. There is regulatory breakdown inscribed into legislation at this critical juncture of the script. This causes an enforcement vacuum; the EH don't know where the potentially illegally taken deer are being sent and the FSA at the dealerships do not know where they have come from. This condition co-determines the problem, with the deficient venison traceability system outlined earlier, and truly emphasises the extent to which the wildlife crime of poaching is steadfastly a grey market enterprise crime which relates to illegal taking and illicit processing by industry insiders.

The Spanish FSA vet who must travel from London to ensure AGHE compliance with food processing standards in the secluded South West can be conceptualised as a victim of regulatory capture (Edwards and Gill, 2002). This is a concept that was introduced in the previous chapter; it suggests that control agents become ineffective at capable guardianship once they become too associated with offenders, thus making them incapable of carrying out their professional duties. The concept is pertinent because an AGHE or slaughterhouse

will have one vet assigned to them who must work alongside the rough and ready slaughter men, effectively as an 'in-house' regulator. Causing friction with the potentially hostile rural workers by making demands for more stringent working practices in areas they are non-expert on, such as poaching, is unlikely to be a priority for a vet who is over worked, potentially already being harassed in the work place, traveling for 8 hours a day and far, far from home. A tolerant attitude toward non-compliance of low priority 'signal-less' enterprise breaches, could be the standard working procedure by the accommodating FSA vet at an AGHE, who has fundamentally fulfilled their professional duties of ensuring a carcass is contaminant free.

A contributing determining factor in the problem of the FSA's inadequacy at preventing illegal meats slipping into the venison supply chain is that AGHE's are required to pay for FSA vets to attend premises, to inspect deliveries. The cost of the presence of an FSA vet is subsidised, nonetheless, the notion of expecting a potentially rogue industry actor who is prone to professional misconduct to call a government agency to ask to be regulated and then to be expected to pay for the service, is less than ideal. The four-to-five hours' travel time between the secluded South West and the FSA offices in Holborn, central London, is also ineffective at proactive and micro-guardianship, which significantly reduces the deterrent that an enforcement agency should signal. This physical absenteeism of guards based in London can be said to co-exist with the closure of rural police forces, under conditions of excessive cuts to police budgets, which is discussed in the next chapter, thus co-determining an absence of rural guardianship. It should also be recalled that the FSA has recently had to pour significant resources into responding to the Two Sisters meat hygiene scandal and the collapse of Russel Hume. These significant resource-heavy debacles compound with the conditions being discussed and further constrain capable guardianship; large-scale poultry and livestock meat enterprise suppliers in urban areas, who supply produce to the Hilton Group, receive more regulatory resources than small scale game enterprises supplying eateries in the secluded South West.

The problem at these low-end, downstream turns of the script, is not a paucity of resources to control the offending, as such, nor officers to police it, like

with the enforcement resource deficit in the indefensible rural wilderness; the problem is generated by inefficient controls in place to govern the entry of carcasses into the AGHE's. This is due to a defective venison production traceability system and poorly devised legislation, which 'encourages' criminal enterprise on a variety of levels, by providing favourable conditions for motivated offenders and thus enabling their causal powers to offend.

## **6.10 Conclusion**

This chapter has revealed the organisational characteristics of the illicit processing of venison in the grey game enterprise structures of the secluded South West. It has shown the turns of the script required to advance the crime commissioning process, from illegally taken deer into illicitly processed venison. Activities have been presented in a script formula; following the acts and scenes which offenders use to accomplish goals, which is visualised in the two figures at the start this chapter and in their combined form, as appendices. The model of deviance has transitioned from mundane fauna enterprise crimes to illicit grey game activity, internally related to food crimes, as defined by the FSA. The script progressed from where the sequence of criminogenic events concluded in the previous chapter and has broadly exposed all of the activities that offenders must negotiate to profit financially from crimes which are firmly embedded in the shadow game meat economy in the region.

The chapter has necessarily focused more on the illicit activities of rural workers in the countryside careers script and their relation to the AGHE venison dealerships, because meat retail outlet owners do not have to complete as many additional turns of the script. Those turns included seeking the services of an AGHE meat dealership, because they can extract profit from illegal carcasses from their own retail operations; a 'trained person' with a DSC1 qualification can pass carcasses 'in-fur' into a supply chain. Traceability systems in the game meat industry were identified as token and nominal, at best. All of the scenes exposed, like the industry accreditations themselves, have been shown as excessively vulnerable to abuse in the form of fraudulence during the routine activities of

rural and meat employees. Suitable targets are made vulnerable to the actions of motivated offenders because of an absence of capable guardians. The strengths of the realist social relations model of crime script and its amenability to distal standing conditions are emphasised in this chapter; guardians are absent in the scenes of much of this script due to ill-devised game meat processing legislation. Policy currently stipulates that the FSA is the statutory body that regulates AGHE venison processing activity, not capable guardians from the local authority who have expert local knowledge. It has been argued that legitimate venison enterprise structures are an ideal cloak for concealing ancillary deviance, by integrating illegally taken deer with lawfully hunted articles, due to this absence of local expert capable guardianship. This notion is in keeping with the general thrust of food and rural crime literature (Croall, 2007; Somerville et al, 2015; FSA, 2016: 9, 26, 46; Lord et al, 2017b&c). The following chapter (7) reveals a variety of contingent conditions, which incapacitate various forms of capable guardianship further, while the policy delineating the FSA vets as AGHE dealership guardians, in co-determination with deficient game meat traceability systems, is specified in the current chapter as the necessary conditions for an absence of capable guardianship at this turn of the script.

This absence was shown to be compounded by a lack of robust systems for ensuring compliance with venison processing standards (or really any controls at all), which provides enticements for industry actors to go rogue and exploit the process, for financial gain. This is accomplished by falsifying the hunter declaration documentation which accompanies deer carcasses entering the supply chain. This is a vulnerability that can be registered as a structural weakness that causally activates the motivated offender mechanism. The process is the emergent tendency enabled by unenforced statutory regulations with currently no political will to alter them, when contrasted with seafood and livestock industries. The regulations and traceability systems in place for monitoring, controlling and auditing the venison supply chain are unfit for purpose and systematically breached by motivated mundane fauna grey game enterprise offenders. Crimes are achieved by workers while engaging in their professional, licit activities, which is compounded by an absence of wildlife crime officers in the field at night and environmental health by day, both of which have

suffered acute resource starvation during protracted austerity programs, conditions which will now be examined in the following chapter.

# GREY GAME ENTERPRISE MICRO-SCRIPT

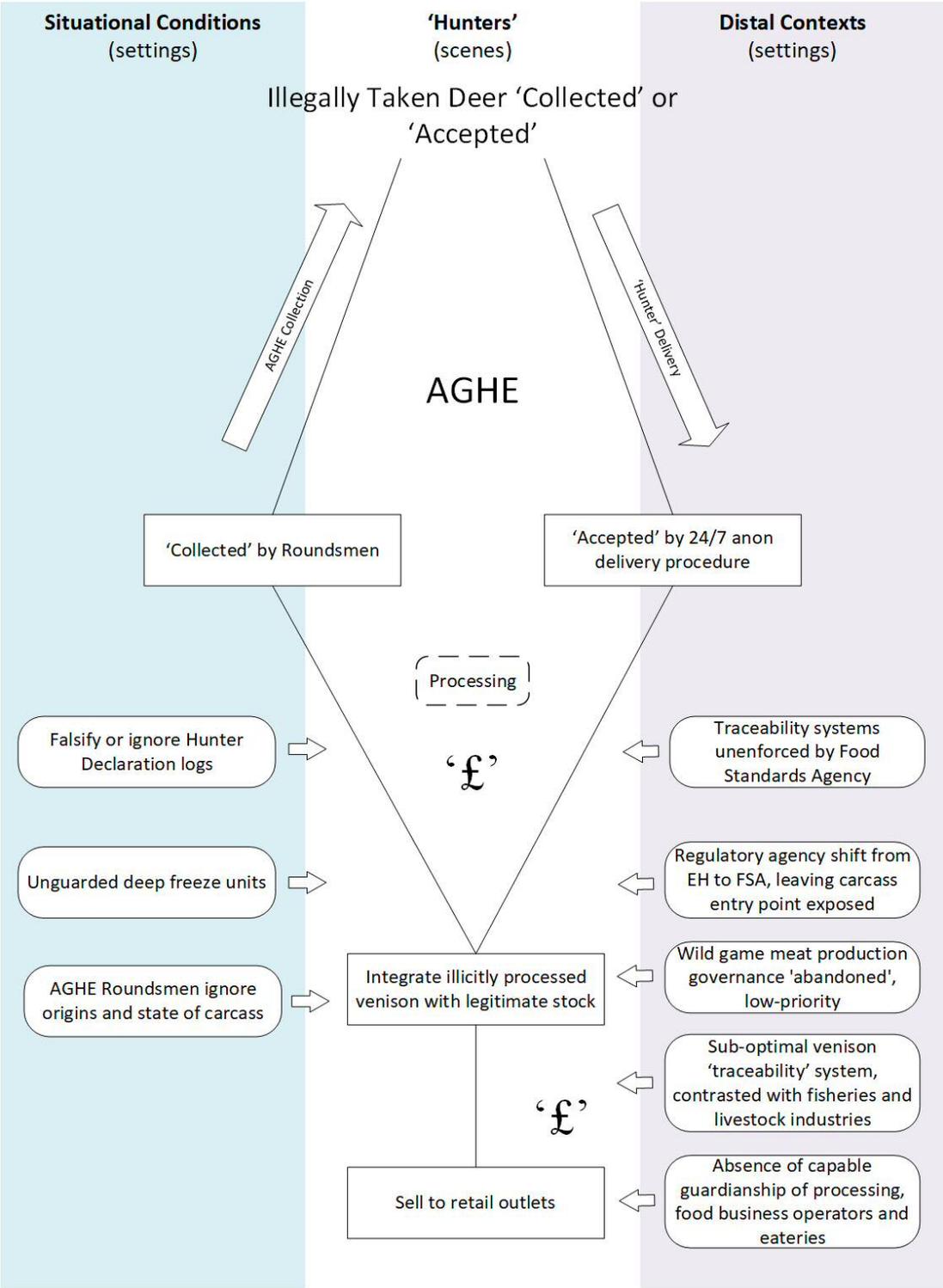


Figure 6

## Chapter Seven

### Contingent Conditions: Enabling and Constraining Structural Contexts

#### 7.1 Introduction

This chapter reveals the contingent standing conditions which enable and constrain the routine grey game enterprise activity referred to throughout the thesis. The contexts discussed here trigger mundane fauna and food enterprise crimes, while also constraining the capabilities of guardians. The antecedent conditions outlined in this chapter are framed as political economic and socio-cultural contexts. The majority are remote contexts, so provide the 'distal' settings for offending to emerge. Such settings provide the antecedent conditions for the scripted events presented in the previous chapters; they explain why offenders are motivated and guardians are absent, thus providing the background account of the routine activity enterprise causal structure. These conditions are above the heads, under the feet and ultimately out of the grasp of the motivated offenders' deliberate decisions. They are positioned in the right-hand 'distal' column of the script visualisations. Conditions are specified as 'contingent' in-line with critical realist terminology, because they co-produce outcomes, in conjunction and combination with a variety of other factors, which might not have emerged from alternative assemblages of entities in other contexts. The same configurations of generative mechanisms can produce different outcomes, in other settings, or the same outcome can emerge from different combinations of mechanisms and so are 'contingent' (Sayer, 2000: 23-24; Edwards and Levi, 2008: 365-568). Contingent conditions can also produce unforeseen or unintended consequences. Examples of such occurrences are contained in this chapter. The contingent events explain why, how and when generative relations are likely to be activated and thus deviance emerges. Suspects choose to take and sell deer, but not under conditions of their own choosing. The illicit enterprise activities of Illegally taking of deer and illicit

processing of venison in this sense is a concrete unity of diverse determinations. Identifying the distal contexts conditioning situated activity is precisely the strength of the realist social relations crime script framework (Edwards and Levi, 2008; Edwards, 2016). As argued throughout, ordinary routine activity and rational choice ontologies forgo structural analysis and foreground the proximal settings. Such approaches omit considerable facets of social systems which are crucial to a full understanding of the problem at hand and for opportunities to mitigate it (e.g, Tilley and Pawson, 1997).

The chapter begins by outlining the importance of conditions and contexts from a causal powers explanatory position. It then notes the contribution conditions can make to criminological analysis and especially its advancement by the realist crime scripts school (Edwards, 2016). The conditions are discussed under the broad sections of 'political economic' and 'socio-cultural'. The impacts of protracted austerity programs on public services, especially since the financial crisis of 2008 are discussed at this juncture. Following this economic condition are reductions in the already scarce public expenditures allocated to regional police forces and their disparity with urban centres. This criminogenic condition is advanced with the concept of rural 'regime abandonment'. It is then argued that the meagre budgets allocated to rural police forces are directed toward anthropocentric signal events, at the expense of mundane fauna crimes. This tendency is enabled by the lack of a signal produced by illegal taking and illicit processing, due to the embeddedness of offending in licit enterprise structures and because suspects are part of the rural communities who would normally signal a problem.

In the next section, environmental legislation is identified as unintendedly providing pernicious standing conditions for the emergence of illegal deer taking in the secluded South West. The state sponsored badger cull, which is a DEFRA policy, is then delineated as creating the ideal working environment to conceal illegal taking in the highly localised context of the Devon countryside. European Union (EU) hunting regulations are then noted as incompatible with British hunting and venison production methods. Celebrities within broader popular culture are problematised for legitimising illegal taking of deer and endorsing its

consumption. The socio-cultural contexts which are specific to the rural West Country are then discussed. These conditions come in the form of the thriving seasonal tourist industry that brings an influx of transient visitors to the counties of the region. Capable guardians are incapacitated by the additional population strains at a time when consumption of produce in the region is heightened and during closed season for the legal dispatch of deer. A corollary distal setting of both austerity and one that is localised to the South West is the rise of mental health patients requiring the services of the police because they no longer have access to specialist social services to care for their needs, due to marked reductions to social services.

## **7.2 Conditions, context and contingency**

The critical realist ontological account underlying the realist crime scripts approach notes of social conditions, 'that by 'conditions', we simply mean other objects, these having their own causal powers and liabilities' (Sayer, 1992: 73). The conditions under which objects come together and are articulated, such as the routine activity enterprise crime triangle, (de)activate their causal powers. If a deer was instead a ferocious lion in a busy zoo, it would no longer be a suitable target and especially not for an unscrupulous rural worker looking to top up his weekly takings. Or if deer and rural workers were native to the highly resourced and densely populated City of London, there would be many more capable guardians present. A factor which also deactivates the motivated offender causal liability. As Sayer reminds us, 'Whether a causal power or liability is actually activated or suffered on any occasion depends on conditions whose presence and configuration are contingent. Whether a person actually works might depend on whether there is a job for him/her. Whether gunpowder ever does explode depends on it being in the right conditions—in the presence of a spark' (Sayer, 1992: 73).

This assemblage of unforeseen interacting properties, which are not of agents own making in their own right - such as unexpectedly pernicious wildlife legislation, tourist influx to the region and budgetary deficits to control agencies

- can be taken as conditions or structural 'context'. It is argued from a realist position that, 'the outcomes of the activation of mechanisms (e.g. crime prevention programmes) always depends on specific contexts' and that, '[e]xplanation requires mainly interpretive and qualitative research to discover actors' reasoning and circumstances in specific contexts – not in abstraction from them' (Sayer, 2000: 23). Edwards and Levi note that an awareness of distal context 'informs more strategic considerations of the social preconditions for serious crimes' (2008: 368). Acknowledging the conditioning powers of contextual settings from a routine activity social relations perspective, the authors state, '[f]raming-in a concern with context entails recognition of the explicitly political-economic and cultural structures that underlie (or undermine) the crime triangle' (Edwards and Levi, 2008: 378). The aetiological significance of contextual conditions has been often alluded to in the previous chapters and is presented as 'settings' in the visualisations. Edwards highlights the impacts of 'social structural trends' on offending processes in which 'the consequences of substantial sovereign debts for public expenditure on law enforcement and other preventive efforts frustrate guardianship' (Edwards, 2016: 994). It those conditions which will be discussed first.

## 7.3 Political Economic Contingent Conditions

### 7.3a Austerity policies and resource starvation of public services: The constraining of capable guardians

The impact of significant cuts to the financial budgets of regulatory agencies and police forces under the Treasury policy of ‘austerity’ provides the paramount contingent condition that constrains the causal powers of capable guardians (Edwards and Hughes, 2012; Edwards, 2016; Cooper and Whyte, 2017). ‘Austerity’ refers to a macro-level fiscal approach whereby reductions in public spending are prioritized above most other economic considerations. This condition is a central co-determination in the explanation of why capable guardians are absent from preventing the commissioning processes described in chapter 5 and 6. Capable guardians in the form of front-line specialist police officers, environmental health enforcement officers and trading standards investigators have all been reduced in numbers by over half in Devon and Cornwall. A reduction which began when the Conservative-Liberal Democrat Coalition Government gained power in 2010, presiding over the aftermath of the 2008 global financial crisis. This material context provides the conditions which incapacitate capable guardians from duties in the secluded South West. This officer stationed in the region emphasises the extent of the problem he is faced with:

*‘I’m the beat manager for [South West location], covering 250sq miles, so I deal with 13 parishes, and I’m on my own in the police station, there’s nobody else in the police station. My next nearest officer, WCO-wise is in [South West location, over one hours drive away] and he’s the youth prevention officer. So his hands are full as well, being the only one on this side of the county.’*

(Wildlife Crime Officer, West Country, interview, 2017).

The Trading Standards and Environmental Health expert respondents I interviewed stated that their teams have both been reduced by 50% in the last eight years. What this means in practical terms is that the local authority I spent time with, who attempt to control grey game enterprise suspects in the district have had their work force reduced from eight officers pre-2010, to four at the current time (2018). Those remaining four are of course expected to complete the tasks of the previous other four staff. Compounding this issue, the Trading Standards team have now been merged with the adjacent county, Somerset. Staff numbers there have been halved, but premises to regulate have doubled. Officers claimed they used to visit businesses, such as butchers, weekly. Now they send a questionnaire to the business and visit them annually, as these experts report:

*Orlando: 'Do you think budget cuts and austerity are an important context to poaching prevention?'*

*Expert: Yeah, because if we had the free reign that we had before all the cuts, we'd be out sampling, we were out doing butchery visits all the time. All of our work now is intelligence driven.'*

*Orlando: And you were much more able to do that before all the funding cuts?'*

*Expert: Yeah, if you think we used to go to markets weekly, the meat market we went weekly, not we go once or twice a month. So, we went to every market every time it operated, we'd do in Devon 300 farmers a year, now we do 300 Devon and Somerset [an additional county]*

*Orlando: and have you had a reduction in staff in addition to that?'*

*Expert: Yeah, I want to say half, we've got the same staff now, for Devon and Somerset [two counties] as we had for Devon, before the cuts.'*

(Senior Trading Standards Animal Health Expert and National Crime Agency Financial Crime Investigator, interview, 2017).

*Expert: 'It is getting more and more difficult for us to do our job. There's, like I say, when I first started in this team there was eight officers doing this job, now we're down to four of us.*

*Orlando: And that's in an eight-year period?*

*Expert: Yes, that's over the last eight or nine years.*

*Orlando: Almost the exact amount of time since the coalition government came in and austerity began, really?*

*Expert: Oh, yes. So, when I left university which was six months before starting work here, the credit crunch had just kicked in for private companies back then. It hadn't quite affected local authorities and then it was about a year a half later when it came to the local authorities and we all knew it was coming.*

(Environmental Health Animal Derivatives expert, interview, 2017).

Food hygiene officials are unable to maintain effective guardianship over potential motivated offenders in the form of meat retail outlet owners, due to the limitations placed on their time and resources since the cuts. These contingent conditions outline why no expert guardians are intervening in the illicit venison processing turns of the script revealed in the previous chapter. The conditions of resource scarcity are pronounced further by governmental policies which shift regulatory oversight from the degraded state agencies, to business itself. As argued in the previous chapter, the meat industry is identified as harbouring highly rogue elements. Handing self-regulating capacities to deviants occupying professional enterprise roles exacerbates grey game enterprise activity and thwarts capable guardianship, as this expert reports;

*Expert: 'We used to licence game dealers and hunters, so we had a more robust system in place for that, so people wouldn't be allowed to sell on*

*without having a licence. But that all went several years ago, and it seems to be this [Conservative] government's agenda to put all of the onus back on businesses to be compliant, to prove that what they're doing is right, whilst removing oversight from the state, which is us effectively. And they just seem intent on it, but it's not useful for anybody. And, like I say, some of the bigger scandals are evidence of that.*

*Orlando: If you ask somebody unscrupulous to police themselves, then it's...*

*Expert: Exactly, they're going to be laughing, aren't they? You know. So, yes, that's what the factors are at the moment.*

(Environmental Health Officer, South West, interview, 2017).

These findings cohere with the national picture of the reduction of regulatory agency capacities from within the policy context of the 'Better Regulation Agenda' and the economic context of austerity (Tombs, 2016). Trends in national regulatory data derived from 2003-2013 show 'Local Environmental Health Officers enforcing food safety and hygiene law undertook 34% fewer food standards inspections, producing 28% fewer prosecutions, officers enforcing health and safety law undertook 90% fewer preventative inspections, culminating in 40% fewer prosecutions, and officers enforcing local pollution control law undertook 48% fewer 'Part B' Inspection Visits and 30% fewer 'Part B' Notices (notices are the equivalent of prosecutions)' (Tombs, 2016: 04). The author notes that of the 1.7million registered businesses eligible for health and safety inspections by Environmental Health Officers, 81,000 were visited; 'meaning that only about five per cent of businesses that might be visited in any one year actually received a visit. Put differently, the average business can expect to be visited by a local health and safety inspector once every 20 years' (ibid). It is accepted that an intentional strategy has been conducted by right-leaning policy entrepreneurs to reduce the capacity of state in favour of enterprise, to shore up economic growth and Britain's standing within global markets (Tombs, 2017). The contingent effects of business-friendly deregulation initiatives which shift regulatory oversight to enterprise actors are evident in the wider meat

processing industry. During the time period that this research was conducted, the Two Sisters meat production scandal unravelled and Russel Hume, the meat supplier collapsed, at a loss to 300 jobs. Both companies had production halted by the Food Standards Agency due to serious non-compliance with food hygiene regulations (Monaghan, 2018; Goodley, 2018). It has also been recognised that one in four UK abattoirs fails to meet basic hygiene standards (Walsey and Robbins, 2017). The strategy of intentional deregulation is significantly problematic for crime prevention agencies when compounded with the unintentional 'abandonment' of regional political economies (Edwards and Hughes, 2012).

Devon and Cornwall police force has endured similar major and repeated cuts to its financial budgets and consequently has reduced staff. Nationally the police workforce has been reduced by 18%, from 243,900 workers in 2010 to 200,600 in 2016 (Loveday, 2017). According to Devon and Cornwall Chief Constable Shaun Sawyer, the regions workforce has reduced from 'from 6,200 posts in 2010 to around 3,900 by 2019/2020' (Sawyer, 2015). Of that Devon and Cornwall Constabulary workforce, 2,914 remain as sworn officers. 46 were removed from post in 2016-2017. Nationally a further 6,000 frontline officers are to be removed by 2020, due to continuing budgetary cuts (Loveday, 2017). Loveday notes that with such a marked reduction of sworn frontline officers, policing will take the form of 'response policing' (ibid). This represents an enforcement model more suitable to a region with many officers using modern road infrastructures and where response times are adequate, such as urban centres. In contrast, the rural environments of the secluded South West, conceptualised here as the indefensible rural wilderness, where isolated physical terrain is traversable by only by one lane country roads, the climate is inhospitable and the population sparse, a response policing model and reduction of officers generates an absence of capable guardianship. Devon and Cornwall Constabulary cover the largest land mass or geographic area of all forces in the U.K and at the time of writing are potentially merging with Dorset. A factor which will add an additional county to the reduced forces duties. This contemporary picture of austere resource scarcity and policing funding formula provides the antecedent backdrop to structural regime abandonment.

### **7.3b Rural / Urban budgetary allocation inequity: Structural rural regime abandonment causing an absence of local capable guardianship**

*'This is where the problems are, you've got Devon and Somerset and the, I think 14 districts, all on tight budgets. All don't want big court costs and then you've got illegal slaughter going on, or poaching, and you can imagine the costs if it goes to court, it can run forever, which is also the problem, because police have to prosecute, whereas enforcement agencies are under the council and the council say, oh we can't spend too much money'.*

(Trading Standards Senior Investigator, interview, 2017).

As noted above, frontline officers in Devon and Cornwall constabulary have dropped below 3,000, a figure which a former chief constable of the region cited as 'minimum number to be able to run the force effectively' (Reines, 2017). Sergeant Mark Cooper of Devon and Cornwall, who covers Falmouth and Helston, stated to local media that 'he knew of occasions when there had been no-one available to attend incidents anywhere in Cornwall' (Wilkinson and Booth, 2017). After the interview with the above respondent had occurred, Somerset council announced they were verging on bankruptcy, with the potential loss of 150 jobs and the most significant cuts to frontline services in the country (BBC, Somerset, 2018; Butler, 2018; Chakelian, 2018).

The following data was derived from a Freedom of Information Request made to Devon and Cornwall Police for this thesis:

*'Devon & Cornwall Police have made £60.9m cuts from 2009 to 2017/18. A further £9.6m budget savings are planned between 2018/19 and 2021/22.*

*Since 01/01/08, 409 Police Staff have left the Force as a result of redundancy and 181 Police Officers have left the Force following the implementation of Regulation A19.*

*Orlando: Is there a full-time wildlife crime officer within the force?*

*No. Wildlife Crime forms part of the officers' duty within their substantive role.*

(Devon and Cornwall Police, FOI, 2018).

These conditions are reinforced by a funding formula which designates policing budgetary allocations to specific forces. Rural police forces and bodies representing rural interests, such as the National Farmers Union and the Rural Services Network point to a funding imbalance from central government which incapacitates rural guardians. Alison Hernandez, the elected Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly, notes that the regional force receives £106 of central funding per head of population in Devon and Cornwall, which is £4 below the national average. This amount itself is a shortfall of £7 million a year when considered against other, urban, regions (Reines, 2017). However, data from the Rural Services Network, cited by the National Farmers Union (NFU) maintains, 'per person direct funding in predominantly urban areas would be £206 on average in 2018/19, compared to £167 in mostly rural forces' (NFU, 2018). The £106 received by Devon and Cornwall constabulary is £100 less than the average urban per person direct funding figure of £206, stated by the Rural Services Network. If the previous conservative estimate of a £4 per person deficit gap was closed, an extra 150 officers could be employed in the regional force (Reines, 2017). It will later be noted that the population of those counties' triples in size during the summer season and that the Badger Cull has cost nearly one million pounds to police in Devon alone.

Edwards and Hughes note that during times of pronounced austerity, certain sectors of society, located in particular regions, become perceived as less important and are 'abandoned' (2012: 451). This concept has been deployed to frame the neglect of black working-class communities' interests in the city of Atlanta (ibid: 438). The rural West Country has many affluent towns and sought-after enclaves, which are favoured by second home buyers and wealthy holiday makers. However, if Cornwall became an independent nation-state, it would be

poorer than Lithuania and Hungary (Wigmore, 2016). Three local authorities in Devon were included in a list of 'the 10 local authorities in Britain with the lowest average employee pay', according to a national report commissioned by the BBC. One of those in the North, Torridge, was identified as one of '10 local authorities in Britain with the highest unemployment rate in the first quarter of 2017' and 'pockets of significant deprivation' were identified in the regions where my research took place (Rossiter, 2017). While perhaps the West Country has not been the victim of a strategy of 'deliberate' abandonment, it can be noted that in the same period that 46 officers are in the process of being cut from the force, due to budgetary deficits from central government funding, the Metropolitan Police have been advertising for new officer and detective positions and has the National Crime Agency and MI5, both based in central London. These regions are not as economically productive as urban centres and have not been prioritised by private inward investment, state funding and general resource allocation. Where once there was a burgeoning tin mining industry and domestic seaside leisure scene for affluent holiday makers in the Victorian period, all that now remains is menial jobs and rising unemployment. Areas of the secluded South West can therefore be framed as regions which are suffering from significant structural regime abandonment (Edwards and Hughes, 2012). This confluence of conditions serves to cause an excessive absence of capable guardians with the skills to intervene in deer and venison crimes in the secluded South West. A factor which was emphasised to me repeatedly by expert practitioners:

*'People want to do things and want to protect it [the local deer] and want to look after it and prevent all this. But the money to do it is the last thing that there is available.*

*That's why all the people are poaching, and more people now are poaching, because they all know that very fact. And people like [EH officer] who want to be on it, policing its end user and traceability, are fighting a losing battle, because they've not got the resources either. And everybody knows it'.*

(British Deer Society DSC Level One Accessor, interview, 2017).

*'Things are still very busy, simple reason is that there aren't enough police. I haven't had a chance yet to fully map the intel, there is a lot to go on.'*

(Wildlife Crime Police Officer, post-interview personal email correspondence, 2018).

The problem of amplified cuts to public expenditures within local policing in the rural West Country is contemporaneously resulting in other emergency services having to fill the vacuum left by shortages in police officers (Wallis, 2019). Devon and Cornwall Police has recently:

*'Trained firefighters as special constables in an attempt to boost officer numbers in rural areas. Seven Devon and Somerset firefighters have taken on the community responder roles after two months training with Devon and Cornwall Police. They can now arrest suspects, but must prioritise fighting fires when needed'* (BBC Devon, 2019).

The move has been criticised by The Police Federation as 'an attempt to paper over the cracks caused by cuts in funding' (BBC Devon, 2019). The structural contexts being exposed as austerity programs of Treasury policy create the conditions for resource scarcity to state services at the national level, including policing. Financial cuts have resulted in 6,000 officers being removed from their posts and local food regulatory enforcement officers being halved in staffing numbers. This scarcity is compounded by a rural / urban funding inequity, in the form of rural regime abandonment, which diverts reduced budgets away from less-productive rural regions and toward capital intensive urban-centric regimes. This model of abandonment causes resource starvation. A determining condition to why Devon and Cornwall Constabulary, the largest geographic force in the Country, has reduced its work force so markedly since 2010, to the present day. It has been identified that at times there are no available

frontline officers in the entire county of Cornwall. The acute reduction of officers in remote, highly isolated and difficult to reach (and therefore vulnerable) rural regions, constrains expert capable guardianship.

### **7.3.c Mundane fauna crime abandonment: Incapacitating mundane fauna and food crime expert guardians**

*'The situation when it comes to coping with the challenge of public funding cuts is that you have to prioritise. Now wildlife crime, and I'm sure you've heard this from other officers, always takes second fiddle to all the other crime'*

(Wildlife Crime Police Officer, the West Country, interview, 2017).

Once the reduced rural per-person police budgetary allocation trickles down to Devon and Cornwall Constabulary, managers must allocate the now streamlined resources to identified priorities. The Home Office strategy for policing delineates priorities for anthropocentric, not eco-centric concerns; protecting people and property, not flora and fauna (Home Office, 2015: 7-8). The issue of wildlife falling out of police priority guidelines was drawn to my attention by expert practitioners, in diverse enforcement agencies:

*'With OP Nero, nobody wanted to take it on, the police bosses were like 'oh no', they didn't really want to get involved. [WCO] did obviously, the officers that get it are fine, but higher above they're going 'this isn't a priority'. Our boss was like 'well this isn't really for us', which is true really, it is more police and Environmental Health and all these agencies going, we don't really want it because we've got a lack of resources and then you get to the point when no one wants to take it on.'*

(Senior Trading Standards Investigator, South West, interview, 2017).

*Expert: 'I think the only solution and it's nowhere near the horizon, is to drastically increase the rural policing and to take it seriously. All chief constables everywhere are saying rural crime isn't a problem, very often when [local officer] isn't working, the nearest police officer from here is in Exeter! [over an hour's drive] There's no police presence.'*

*Orlando: Under resourcing and austerity is a major feature of this?*

*Expert: I think you're right, and the CPS also have to make a decision, do we prosecute someone for abusing children or shooting deer? When our resources are limited they'll go with the child abuse any day'.*

(Deer welfare expert and livestock vet, interview, 2017).

This localised mundane fauna focused model of 'abandonment' is a consequence of Home Office policy. Wildlife crime is not a strategic Home Office priority at the national level, nor does it fall within the Threat, Risk, Harm and / or Vulnerability decision making model. The model is a matrix which local forces use to prioritise offences. The abandonment of mundane fauna crime prevention is also prevalent in regulatory agencies, such as Trading Standards, because they have a duty to protect human victims under the Care Act, as reported by this expert;

*'We have a duty to protect under the Care Act. There's so much work we do and then there's me saying, 'we've got poaching!' and they say, 'that's Environmental Health' or 'police', and then obviously if Environmental Health say, 'oh we haven't really got the resources to deal with this', because they're so small, because they've only got 5 officers and it's going to tie up our team for 2 years, we can't do anything else.'*

(Senior Trading Standards Investigator and National Crime Agency expert, interview, 2017).

Orlando: 'And I suppose with all the other priorities, wildlife crime suffers?

Expert: it's hard isn't it, because you've got an organised criminal group with all those offences [points toward anti-poaching operation document] doing this, but trying to make it important... In the old days before the cut-backs, it wouldn't have been a problem.'

(Regulatory agency expert, Devon, interview, 2017).

Experts repeated the phrase 'low priority' to me during interviews while discussing the illegal taking of deer. This factor led me to construct the concept of 'signal-less' crimes, which was introduced in chapter four to explain the socially constructed responses to mundane fauna crimes in rural regions (Innes, 2004). That condition can be seen to be in coexistence with the condition of abandonment, currently being introduced, to co-determine the absence of guardianship. No experts believed that wildlife crimes should take precedence over epochal signal crimes, such as child abuse, naturally, but all thought that wildlife crime has been ignored and under-resourced to the point of its abandonment. This factor encourages the easy pilfering of deer, due to its perceived vulnerability, thus enticing motivated offenders. Rural regime and mundane fauna crime abandonment can be identified upon discovering that the only police force in the country to have a full-time dedicated wildlife crime officer is the Metropolitan force. An inner-city urban force, whose officers' tasks are the disruption of the flows of exotic mega fauna derivative crimes, embedded in the illegal global wildlife trade, of which London is a central transport hub. The earlier Freedom of Information Request noted that the South West does not have a full-time WCO.

Policy makers at local authorities in the South West were also identified by experts as intentionally abandoning the regulation of grey game enterprise and the illegal taking of deer:

*Orlando: 'What would make your job easier that isn't happening at the moment?*

*Expert: More recognition within the force to take it seriously.*

(Wildlife Crime Police Officer, West Country, interview, 2017).

*Expert: 'Mark [Environmental Health investigative officer] was really on a mission, or Mark's department was really on a mission to bring this guy [a high level poaching suspect] down, which is how we got in contact with him in the first place. And what we did, because I'm also on the committee for the South West branch of the Deer Society and as a branch, we paid for Mark to do his Deer Stalking Certificate Level One, because his office or the council, or whoever, wouldn't pay for it. So he was out in that field, specifically targeting poached and illegal game and deer in particular, yet his very own department wouldn't pay for him to gain any knowledge of the very thing that he was investigating.*

*Orlando: It makes you want to despair.*

*Expert: Well that's the way it is. So we as a branch funded Mark's Level One, but he himself has told me now, that every time that he goes to his immediate bosses about a poaching or a traceability issue regarding venison, they're not very interested, at all...*

*Because they've got far more concerns about restaurants in Newquay.*

*Orlando: It seems like it's the lowest of low priorities?*

*Expert: Entirely, it's very, very easily side-stepped and very easily forgotten about, which is why it's so prevalent'.*

(Countryside Manager and Deer Society Level One Assessor, interview, 2017).

The contingent effects of the combination of structural deficiencies being outlined in this section can be identified as manifesting in how the natural environment in the South West is policed. A press release by Devon and Cornwall Constabulary dated February 2019 outlined the priorities for policing Dartmoor, using the Community Safety Accreditation Scheme. The release specifies that the scheme will focus on untaxed vehicles on the moor, speeding, illegal camping, irresponsible driving, road closures during adverse weather conditions and vehicle break-ins. The 'community' being kept safe by the scheme, in a largely natural habitat, can therefore be identified as anthropocentric and not eco-centric. The institutional abandonment of mundane fauna crime prevention as a signal-less event is observable throughout the structures of the justice system. Farm workers who were secretly filmed repeatedly kicking pigs in the face and stabbing them with pitchforks were spared a custodial sentence (Diebelius, 2019). During the same time period, a teenager was jailed for stealing a PlayStation games console from an inner-city supermarket. This outcome is particularly significant given the mundane fauna that are native to Dartmoor and the wider implications of their abandonment, as this local expert highlights:

*'We've got quite a lot of Dartmoor ponies, and the horsemeat scandal that kicked off all those years ago, that was a consideration whether or not the Dartmoor ponies were involved in any of that. And the ponies aren't really looked after on Dartmoor, not day to day at least. So, if you lose one or two, how are you going to know?'*

(Senior Trading Standards Investigator, South West, interview, 2017).

The prevention of the Illegal taking of deer in the rural West Country has not only been politically subordinated by Home Office directives toward police response priorities and economically 'abandoned' by budgetary allocations, but it is officially a 'non-recordable' crime. This means that wildlife crimes do not contribute to official Home Office crime rate statistics and are not recorded on the Police National Computer. An omission which co-determines and reinforces

the proclivity for policy makers at the national level to 'abandon' rural regions, who they can forcefully argue have far lower crime rates than their urban counterparts and therefore require less resources. At the regional level, rural force bosses are then able to allocate scarce resources away from wildlife crimes, due to their seeming non-existence according to the official records. Preventing the illegal taking of deer at the local level is disincentivised due to this policy and co-determines an absence of capable guardians in conjunction with the signal-less concept referred to throughout and introduced in chapter 4. Official crime rates in the region do not decrease if poachers are thwarted and crimes prevented, so hard work goes unrecognised. Neither do crime rates increase if offences go ignored! Therefore, police managers are not incentivised to tackle mundane fauna crimes, which are ultimately written into legislation as a low priority. However, crime-rates skyrocket if officers are preventing the illegal taking of deer instead of tackling shoplifting, which is a recordable offence. The deer could be worth £1000 to a restaurant menu, while a shoplifter could be stealing an onion. Anthropocentric prioritisation of people and property at the localised level enables bosses to dismiss the assignment of a dedicated force specialist wildlife crime officer (WCO).

The conditions identified throughout this section highlight how capable guardianship, in the form of standard frontline police officers, is incapacitated. This particular composition of conditions co-determines an absence of specialist WCO roles from rural forces. This detrimentally impacts the expert intervention into the illegal taking of deer, the upstream component of the grey game enterprise process. WCO's are specially trained in poaching laws, the Deer Act, and the complexities of antiquated, dense and overlapping wildlife legislation. They are also trained in how to identify whether a wildlife crime has been committed, such as noticing a deer carcass in transit at night that is still warm. The West Country regional context under which police policy makers reallocate resources away from a dedicated WCO provides the standing conditions under which specialist capable guardians are rendered absent. An issue which was identified by the specialist WCO's themselves:

*Orlando: 'Do other priorities suck up the funding and agenda?*

*Expert: Terrorism, cyber-crime, child sexual exploitation, huge issues.*

*Orlando: That's taking a lot of the spotlight away?*

*Expert: Yeah, that's what they're focusing on. And quite rightly, they're important issues. The same as what we do is important as well. But its neglected, it's not even recognised. So what we need to look at is recognition that it is a crime, as much as any other type of crime. And that only happens when you've got management who are switched onto it.*

(Wildlife Crime Police Officer, interview, 2017).

#### **7.4 Incapable guardianship contingencies: Human agency barriers to better enforcement**

During the data collection, many specialists were interviewed who were passionate about preventing illicit deer and venison activity. All reported in a brow-beaten sentiment that they are prohibited from utilising their expertise on tough wildlife crimes, because their bosses wanted them out on the high street beat. This trend epitomizes the impacts of mundane fauna crimes being perceived as a signal-less crime. The WCO's were also often the only officer in the region during their shift. I observed the impact of the contingent conditions of grey game enterprise crime abandonment during the research, when a dedicated specialist who I interviewed on multiple occasions and who assisted me with other contacts applied to change regional stations. This decision was taken due to his perception that local bosses were routinely dismissing his expertise and his suggestions for how to combat the illegal taking of deer which we now recognise as being rife in the region. Bosses were uninterested in the matter and unconcerned with the work he had focused on for over ten years. That expertise and specialist capable guardian has now been lost in that region of the secluded South West. Offenders in the close-knit region where word gets around are aware of his absence. This is a regrettable and avoidable barrier to enforcement which has created an immediate absence of specialist guardianship and indirectly has

encouraged motivated offenders within the grey game markets. The rural counties and force of Devon and Cornwall have no full-time WCO, only a number with the requisite training, but who must prioritise responding to anthropocentric crimes, such as stealing a PlayStation or an onion. Wildlife crimes occurring in the largest rural force jurisdiction in the Country, with the highest number of valuable Red Deer, the Country's largest wild animal, must ultimately be policed in the specialist officers 'spare time'.

The banality of regulating illicit mundane fauna and venison processing activity is observable throughout the responsible agencies. Once the incapacitating distal conditions of funding deficits causes critical resource scarcity and trickles down to rural police policy makers, hardly any funding makes its way to wildlife and food crime officers. After which point, the buck stops with the agents fulfilling the guardianship roles. The individual people inhabiting the positions of wildlife crime officer or environmental health officer have to personally 'care' about the problems, or at least be proactive toward meeting their defined job requirements. The three following quotes used to illustrate this position all use the word (personal) 'interest' to couch fulfilling their professional statutory duties, which should not be the case and is not so in responding to human-centred crimes:

*'The stuff I've been doing in my own time, generally, I wouldn't say 'willingly' [laughs], is because if I don't do it, it won't get done and it's my personal interest, the crimes I want to investigate and the crimes I want to see... There's a massive gap locally, nationally, locally more than anything, in this type of work'.*

(Wildlife Crime Police Officer, Devon, interview, 2017).

Other senior level expert respondents recounted to me that their colleagues thought that an interest in wildlife was unconventional and worthy of derision:

*'The other issue with wildlife crime is, it's viewed in the job, unless you've got an interest in it, you always get the impression, or you always get it from other officers, 'oh it's the woolly lamb brigade', or something like that. Because they don't understand it and they don't see the scale of it, they're only looking at say, not decrying badger baiting or badger digging or whatever, but they'll look at it as oh it's only the odd badger being killed, or whatever, oh yeah, it's horrendous, but is it major?*

*They don't see the bigger picture that we deal with in relation to the organised crime side of matters and the connections between criminality in people who are involved in wildlife crime and other criminality.*

(National Wildlife Crime Unit, Special Investigator, interview, 2017).

The subordination of nature to humans is a constant feature of this research and a tendency emergent from conditions based in the contemporary Anthropocene epoch (South, 2015). An environmental health officer who invited me to join him for a day visiting deer hunters in the field told me that this wasn't his official position, but that if he didn't carry out checks on registered hunters, no one else in his office would. He had already expressed similar (if more guarded) sentiments at an earlier recorded interview. He noted that his colleagues were more interested in busting rogue traders, collaring door to door scam artists or covertly monitoring retail outlets known for selling alcohol to underage consumers. They did not want to drive out to the rural cutting rooms, game larders and meat handling establishments to get their hands (very) dirty and demand to see the records of rough and ready rural folk:

*Expert: 'In this team we sort of have our specialisms. So I tend to lead much of the health and safety work, Chris tends to oversee much of the food safety work, Laura the sampling. So we do have those little areas, and when it comes to things like game or illegal meat, that's sort of falling on me at the moment and I don't mind doing that. I know that other people aren't interested in it so that's fair enough...*

*Orlando: That seems to be the general thing everywhere I've found.*

*Expert: Yeah it is a little bit. My workload doesn't change, I still have the same amounts of visits I've got to do, as everybody else has got to do.'*

(Environmental Health Enforcement Officer, interview, 2017).

Having spent time in the field, at the homes and workplaces of these men, surrounded by their working firearms, dogs and deer skulls, it is easy to understand why regulatory agents might shy away from this type of work. As well as being unappealing and less rewarding, enforcing the regulations is also far more demanding than regulating breaches of trading laws. This shows that eco-centric imperatives are prone to being perceived as signal-less events not only by the public, but by my capable guardians too. A problem which is compounded by funding deficits and staffing cuts to resource starved capable guardianship agencies, as this expert highlights:

*'I think what it's come down to is that people [police staff] are so busy, they are so exhausted and tired, they haven't got time. And when you've got something which is seen as 'why am I dealing with this [wildlife crime], it's not important' you just drop it and don't get involved. So, when you start cutting money, these are the knock-on effects on policing.'*

(Wildlife Crime Police and National Wildlife Crime Unit, Officer, Devon, interview, 2017).

## **7.5 Environmental and food production legislation: Enabling motivated enterprise suspects**

Chapter 5 identified that environmental legislation has the capacity to provide the unintended standing conditions which enable the illegal taking of deer in the rural West Country. It was necessary to discuss it there because the scripted situated activity of the actors was unintelligible without that context. I

will therefore present this contingent condition which enables motivated offenders with brevity. Exmoor is synonymous with ceremonial, historical stag hound hunts. The last three remaining hunts in the country operate in this region. The Hunting Act 2004, which criminalises hunting wild mammals with hounds curtailed the activities of the hunts. This produced an exponential flourishing of deer populations in the region, the consequences of which has caused problems for farmers and landowners, as the deer eat crops and destroy shrubbery. Therefore, to fill the gap left by the stag hunts, landowners allow illegal takers onto their property to carry out a form of informal culling. The illegal takers benefit from keeping the carcasses to sell, while the landowners benefit from a free of charge pest removal service and sometimes in other reciprocal payments, such as meat from the butchers. Offenders are 'capturing' conniving rural landowners who eschew their informal guardianship role of countryside custodian. Wildlife legislation ostensibly protecting foxes from hunting is therefore dispersing harms onto deer in a regional context, since 2004. This combination of spatial, temporal and political conditions does not cause the illegal taking of deer to emerge in the same way in other rural regions, where stag hunts have not historically controlled deer population numbers.

#### **7.6 State sponsored badger cull: DEFRA policy enabling motivated countryside careers suspects**

The illegal taking of deer by rural workers is being generated by other unexpected political conditions which have increased localised impacts in the secluded South West. The state-wide badger cull has been a government initiative since 2013. The cull is being undertaken under the contested assumption that it is reducing the spread of bovine TB, from badgers to livestock. Rural workers constituting the countryside careers suspects discussed throughout are able to apply for a licence to implement the badger cull. It was reported by expert respondents in the fields of countryside management, that rogue elements within their profession, here understood as grey game enterprise suspects, exploit the terms of the cull for significant gains:

*'That's one of the worrying things about the badger cull. You're giving rifles and night vision equipment to people who we know are involved in deer poaching, so they're going to be legitimately out at night with rifles, ostensibly culling badgers for the government, but they'll be knocking over deer as soon as they see them'.*

(Deer specialist and veterinary surgeon, interview, 2017).

Operatives with firearms certificates and land permissions who are granted a licence to cull are paid to kill badgers and supplied with the ammunition to do so. These enticing material incentives encourage relatively poorly paid rural workers to apply for licences and enable the rogue agents to operate under the pretence of the licence. They can use the equipment supplied to them for the purposes of culling badger, to illegally take deer. Devon is the county which has featured predominantly in this research, with most of the suspects, offending and respondents being situated there. Devon also has more licenced badger cull zones than any other county in the Country. It has six active zones at the time of writing, with five more being expected in the coming year. The county with the most cull zones after Devon is Wiltshire, with three, followed by both Cornwall and Somerset, with two. All of those counties are situated in the rural West Country, while Cornwall and Somerset are the other two counties which feature predominantly in this research (DCaBC, 2018). The cull zone map image cited here, illustrating where licenced zones are based, also coincides with the exact locations that the primary suspects in this research are based. All suspects and cull zones are situated in areas indefensible rural wilderness, the seclusion and remoteness from guardianship enabling offenders to conceal offending under the terms of the badger cull (Goodwin, 2017). The policy provides them with a formal and government sanctioned justification for being in deer rich habitats with firearms and an opportunity to conceal the illegal taking of deer amongst their professional duties. This policy not only provides the standing conditions for

ancillary illicit enterprise activity to emerge, but rogues are also exploiting the finer stipulations of the cull, for additional financial gains, as this expert reports:

*'To become part of the badger cull, you obviously have to be a registered firearms certificate holder in the first place and you have to go to a briefing held by DEFRA or Natural England, or whoever it is that's responsible for it and you have to meet criteria once you're on those permissions as well. It's bagged and tagged in different areas, because not only do they shoot but they also trap, and any trapped badgers are dispatched with a shot, but trapped badgers are shot in the head and ones out 'lamped' or free roaming are chest shot.*

*Now this is the ridiculous part of this, which again purely by a government body is open to abuse and I already know that's happened as well; they get a fixed amount per badger, i.e, financial. So a free-roaming, I think, it was anyway but I don't know if it still is, but a free-roaming-badger shot in the chest is worth £25, ok, a caged badger shot in the head, is worth £20.*

*So if you're doing it for the money and there's a badger in a cage, why are you going to shoot it in the head and take five pounds less, when you can shoot it in the chest and get five pounds more? And they're naive enough to think that it's all done properly and correctly. I mean I don't doubt if they got caught doing it they'd get kicked off the cull, but again it comes down to a policing issue doesn't it?'*

(Deer stalker and countryside management tutor, interview, 2017).

This significant and unexpected finding suggests that not only is the badger cull policy being exploited by rogue countryside practitioners for financial gain, but that instances effectively amounting to animal cruelty acts are being committed during the dispatch process. This offence is being committed to increase the payments received for cull work which is commissioned by DEFRA. An animal which is shot in the chest will not die instantly, therefore caged

badgers are being deliberately shot incorrectly, so the shooter will gain an additional £5 payment per kill, while the badger will die slowly enclosed in the cage.

The convergence of motivated enterprise offenders with suitable mundane fauna victims under the distal conditions being revealed is compounded by a further localised condition. Devon and Cornwall Police has recently suggested a policy calling for the Badger Act to be temporarily halted in the areas of the badger cull, because, 'policing the cull has added to pressure on forces already badly hit by cuts' (Morris, 2018b). Their suggestion has been heavily criticised by campaign groups and the public. It signals the potential decriminalisation of harming badgers, which empowers potential motivated offenders and informs rogue enterprise operators taking deer in the region that police forces are unable (or unwilling) to enforce laws, due to resource-impoverishment. This tacit legitimization is argued by campaign groups to be fuelling rising cases of badger persecution (Dalton, 2018). It is also emblematic of mundane fauna crime prevention 'abandonment'. While the cull is incentivising motivated offenders and officially enabling them to operate unchastised, it is also contributing to local guardianship resource starvation. Policing the badger cull in the rural West Country has been recognised as severely depleting scarce resources, in a rural region where funds are already at critical levels. Wiltshire constabulary reportedly spent £475,000 policing the cull in 2017, a figure which was doubled in expenditure on radios for the cull 'marksmen'. Agents who in this research are alleged to be illegally taking deer (Seaward, 2018; Morris and Barkham, 2017). Expenditure on policing a different single cull zone in Cheshire (of the 21 in total) reportedly cost £800,000 in 2017 (Morris, 2018c). Contemporaneous reports state that Devon and Cornwall constabulary, who are at the centre of this chapter and this research on the South West, have had the highest expenditure of all forces on policing the badger cull (BBC, Manchester, 2019).

The policy condition of the badger cull provides further criminogenic opportunities for rural entrepreneurs to benefit financially. A process was reported to me by experts in the locality that can be conceptualised similarly to

how the Hunting Act generated the conditions which 'capture' conniving landowners, with excess deer populations (as discussed in Chapter 5). It was stated that the potential for deer with TB to contaminate farmers' livestock is being weaponised as an alarmist device of disinformation by cunning rogues to gain permitted access to deer on private land:

*Expert: 'And the other thing they quite often use is, obviously you're aware of badgers and the TB?*

*Orlando: Yes*

*Expert: Well deer can also carry TB, so what a lot of these people do now, to skirt around the edges is they'll say, 'oh deer carry TB as well, you know? Well I'm overrun with deer, get rid of the bloody lot'. Because they can legally shoot deer, whereas you can't legally shoot badgers, unless your part of the official cull.*

*And that's a beneficial avenue for them to bring that up, purely knowing that no farmer is going to want to be TB restricted. And if there's an avenue for them to get what they want, ultimately to shoot the deer, for financial gain and the farmers then made aware that they also carry TB, there isn't a farmer in the South West that's going to want them on their land!'*

(Countryside manager and Deer Society Accessor, interview, 2017).

The practice of countryside careers operatives making fraudulent TB insurance claims is currently an emerging phenomenon (Logan, 2018). A point which is also emphasised by a wildlife crime specialist. A chief inspector of the RSPCA special investigations unit, who was interviewed for this research, states in a *Guardian* news article referencing a badger baiting case committed by grey game enterprise suspects, that 'It's [illegally taking badgers] extremely difficult to detect. These people are going out into secluded woodlands, sometimes on to farmland with permission of the owner, which makes it extremely difficult to investigate' (Morris, 2018). This independent research critically highlights the

diversity of determining factors in the production on this type of mundane fauna crime: captured countryside custodians conniving with illicit rural enterprise actors, situated in the indefensible wilderness, acting under the conditions of government policies.

### **7.7 European food hygiene regulations: Legislative standing conditions of grey game illicit enterprise**

Thus far the distal contingent conditions that have been discussed in this chapter have related mostly to the contexts which enclose the illegal taking of deer elements of the crime script. The following component of political economy enables the motivated food crime offenders, who are rural and meat workers situated in the illicit processing of venison sections of the script. European food law Regulation EC 178/2002 controls the procedures in which deer carcasses are processed into venison. It is European-centric legislation, which according to my respondents is more harmonious with the hunting practices of French primary producers. Paragraphs 15-17 of the Wild Game Guide, which is the British best practice guidelines for lawfully producing venison, states these regulations (2015: 12). The paragraphs state that carcasses are permitted to be sold 'in-fur' (neither skinned nor butchered) in 'limited quantities', 'locally' and 'direct' to the final consumer. These stipulations were briefly discussed in the previous chapter. The conventions are thought to minimise the supply chain steps, thus aiding the traceability of the meat before it is butchered and preventing potential contaminations. Expert respondents stated to me that this legislation, informally referred to in the industry as the 'hunter exemption clause' is easily abused and encourages illicit enterprise, thus being a regulatory condition enabling motivated offenders. This is because, as shown in the previous chapter, there is no formal agency guardianship cataloguing the amount of venison that hunters are genuinely supplying under the 'small quantities' guidelines. Nor is there anyone regulating whether the meat is being supplied 'locally' or direct to final 'consumers'. Auditing systems like those used in fisheries and livestock traceability were recognised in the last chapter as being non-existent in the under-regulated venison industry of the secluded South West. Neither are there

stringent checks or guardianship in place to ensure compliance with regulation EC 178/2002. Compliance is ultimately ensured by assuming the good-will of the practitioners, a facet of failing self-regulation policies. This local expert highlights the problems enabled by this legislation:

*'Under the game meat regulation, which is an EEC regulation enshrined in law, the primary producer, that's the person who shoots the deer, can sell limited quantities, without it ever being defined, can sell limited amounts of venison to anyone they want to. Including retail butchers and restaurants and pubs and hotels, without the need or requirement of the carcass to be tagged or the carcass to be traceable...*

*I think that the EEC game meat regulations are not fit for purpose in the UK, because deer hunting is regulated differently on the continent, Germany, France, Scandinavia, they all have a properly regulated hunting structure, whereby if you shoot a deer, you have to tag it straight away, you buy a tag from the local government and that gives you permission to shoot the deer to start with.*

*Because our deer stalking is so unregulated and it's such a free for all, the European game meat regulations are not really fit for our purposes.*

*The hunters' exemption should be abolished, it should be done away with, the limited quantity exemption for retail sales. But I don't think the government is going to go anywhere near a piece of legislation like that with all the regs it's got.*

(Animal welfare expert and deer surgeon, interview, 2017).

This condition does not constrain the capabilities of guardians, because ultimately there are no experts assigned to regulating the non-formalised process being revealed. As discussed in the previous chapter, hunters are asked by Environmental Health officers to show their declaration tags when they are visited, which is now less frequent than an annual event, due to the combined

conditions of austerity programs, 'deregulatory agendas' and 'rural regime abandonment'. Restaurants are supposed to provide receipts for venison purchased from local primary producers, but it appears the norm for both parties to often be unable and unwilling to show these documents. No real deterrent is in place to make either business comply with this regulation since the cuts to local statutory enforcement agencies, identified in the opening sections of this chapter.

## **Socio-Cultural Conditions**

The distal conditions discussed in this section are social and cultural trends which resonate in the contexts of the rural West Country. They trigger the causal powers of motivated illicit enterprise suspects and provide explanation for why capable guardians are absent from the drama. They provide the distal conditions of existence for the unimpeded realization illegal deer taking and illicit venison processing.

### **7.8 Celebrity popular-culture endorsement and consumption trends: Creating market demand for illegally taken venison**

*'Venison in particular has also gained in popularity because of TV chefs and being in the media more so, and more celebrity people. You've got your likes of Marco Pierre White, who also shoot. You've got, Mark Robinson; who also shoots. You've got Hugh Fernley; who has done. Gordon Ramsey; who has done. So, it's just put it more in the forefront and it's a route for a lot of people to gain financially, very quickly.'*

(Countryside Manager and Deer Society Accessor, interview, 2017).

The consumption of venison has been advocated and popularised by television celebrity chefs. Venison is framed both as a healthy alternative to other red meats, such as beef or steak, especially so in its organic iteration, and also as a cuisine associated with fine dining. Major television food programming, such as

the BBC series 'Master Chef the Professionals', which aired in the winter of 2017, featured venison-based dishes prominently. It is framed as a gourmet foodstuff both by high-end country hotels in the rural West Country and in trendy urban gastro-pubs. Lifestyle television programming presents organic venison as a symbol of healthy eating, while also as an en-vogue item to those concerned with following trends. Popular culinary television programming and celebrity chefs can therefore be identified as creating demand for venison by normalising it as an acceptable menu item and popularising it within the general public, which it ultimately was not 10-15 years ago. This cultural phenomenon is enhancing the market demand for venison. Influential figures such as celebrity chefs and successful restaurateurs are also directly enabling the causal capacity of motivated offenders by providing them with custom and an outlet for illegally taken deer, thus encouraging enterprise offences. These are the thoughts of a senior expert respondent on these particular enabling conditions:

*'We certainly know that there's routes into London, and in London where else are they going to be getting their venison? And because it's been on the telly recently and all the chef programs are going 'venison, venison! There's this massive demand for it and that's where a lot of it is heading.*

*And also, when people come on holiday at some of the top hotels, they're selling Exmoor venison, because it's the thing to have on the menu. Which makes me think it's going that way, there's been some other whispering's, London's driving the market, because it's the thing to have, whereas years ago people weren't bothered'.*

(Trading Standards Senior Investigator, interview, 2017).

The cultural conditions created by the television personality 'Bear Grylls' and his adventure-explorer peers, such as Ray Mears, are identified as legitimizing the inexperienced taking and unregulated consumption of mundane fauna. Bear Grylls' popular TV shows are named 'Born Survivor', 'Man vs Wild', and 'The Island'. Mark Robinson, celebrity chef mentioned in the opening quote states on

his Twitter account that he is a 'champion of wild food'. All depict, trivialise and encourage the hunting, killing and foraging of mundane fauna on 'prime-time' television slots. Many of these programmes graphically depict deer being shot in the wild and then cooked on rotating spits on open fires in the woods. The phenomenon of normalising the inexpert hunting or taking of mundane fauna in the wild and its butchery, cooking and consumption was identified as problematic by my respondents working in deer management circles. As discussed by this expert:

*Expert: You go and see Ray Mears and all that sort of stuff and then people think it's natural to kill things and that its ok. So because things are on the telly and in the media in another country they think they can go and do it here, because they're uneducated.*

*Orlando: Do you think that's really a thing?*

*Expert: Yeah I do, they see it on telly and think oh I'll do that, do a bit of tracking, kill something, don't realise what they're doing. Most people like you and I who are educated will know that's not right to do. You've got an inkling and we don't do it, but some people will do these things.*

*There are companies out there doing these adventure weekend courses that go out and do bizarre things and they've been told in other parts of the country 'hey you can't do that it's an offence'.*

(Wildlife Crime Police Officer, interview, 2017).

#### **7.9. Peak season resource strain and social services abandonment: Non-crime related constraining conditions**

*'Around us, the other complication is the Belanes retail business [the Butcher] is only a small proportion of their service. The majority of their business is going to hotels and holiday camps. They supply all the meat to the big holiday*

*concerns in [lists three South West towns]. The holiday camps serving huge amounts of meat, including venison.*

(Deer specialist and expert witness, interview, 2017).

The West Country is a premier tourist destination for domestic holidaying and has been associated with leisure resorts since the Victorian period, when the monarchy would utilise the newly built railways to visit Devon's beaches. Places are now fondly referred to as 'Torbaydos' and 'Cornwall's Caribbean'. The strain placed on enforcement agencies to manage the tourist influx to the South West during peak season, constrains their capability to effectively regulate other problems. This contingent condition compounds with the constraining impacts of rural regime abandonment, discussed earlier in the chapter. Cornwall's resident population of 550,000 increases to an estimated 850,000 during peak season (Vergnault, 2018). The temporary population boom to the region is ordinarily identified by expert guardians as a burden upon limited resources (Sawyer, 2018). However, the summer captured in this research saw non-crime related demands increase exponentially in the form of a prolonged population surge. This was due to the protracted heatwave in 2018 which was reportedly part of the hottest and driest summer since records began. Consequently, domestic tourism thrived and most of that leisure activity temporarily migrated to the coastal regions of the South West. According to the Cornish tourist board, the popular television program, Poldark increased visitors by 10% and the heatwave itself contributed to a further 20% swelling. Domestic tourism is said to be increasing year on year by 6% (Coldwell, 2018). The tourist board has now stopped 'promoting the two Poldark beaches, due to overcrowding' (ibid). Local infrastructure of seaside towns in Cornwall was reported as gridlocked and on the verge of collapse, with roads being unable to accommodate the sun-seeking happy campers, who were sharing their locations and enticing photographs on social media (BBC Cornwall, 2018). While the popular Board Masters music festival brought revellers from across the UK to the region. All of which was cited by the regions police chief constable as major resource burdens in a summer press release (Sawyer, 2018). Managing the music festival put additional strains

on the regional force's capacity due to scarce local resources being deployed away from the region, to Paddington station, in central London, to govern the festival goers as they boarded trains to the South West.

The Night-time economy venues in popular tourist locations such as Newquay, Croyde and Plymouth are near to rural deer habitats and adjacent to areas of outstanding natural beauty and protected waterways. Controlling violence and street crime as core anthropocentric priorities constrains the minimised police forces capabilities to respond to illegal deer taking. In conjunction with these incapacitating burdens on expert guardians, road networks used to access areas of indefensible rural wilderness are also placed under additional stress during the summer surge. Figures from Highways England show the number of vehicles travelling through the main junction to Bodmin in Cornwall, where poaching is known to occur according to expert respondents, 'peaked to 42,000 a day in August last year, compared with 25,000 in January' (Vergnault, 2018). Junctions linking rural regions in Newquay saw an increase from 20,000 vehicles passing in January, to 40,000 in August, while in Truro 42,000 vehicles a day passed a junction compared to 26,000 in January (ibid).

Recorded crimes increased in the region by 16% during the summer of 2015 and the PCC for the constabulary, 'estimated an 18% increase in demand for policing resources between May and August' (Asthana and Gibson, 2016: 49). Those figures were captured before the precipitation-free, temperature gauge busting summer of 2018, which hosted a 100,000-capacity festival locally and TV coverage of the England football team playing in the World Cup, in most night time economy establishments. The PCC for Devon and Cornwall noted that peak season population and crime surge is not considered in the per-person funding formula metrics for police force budgetary allocations. Police and Crime Commissioner Alison Hernandez states; "Tourists are very welcome, but their arrival does bring some real challenges. This significant increase in our population means that policing resources are under pressure. Many people might expect that the funding that we receive from government would take challenges like this into account, but sadly it does not. Our current police funding allocation

from central government is based upon our resident population of 1.7 million and takes no account of tourism' (Vergnault, 2018).

The region is also a second home exemplar and the increased wealthy transient populous add additional pressures to distinct elements of the region. The higher socio-economic visitors will provide the custom for the fine-dining waterfront and rural retreats, where venison is a highly regarded staple on the locally sourced seasonal gourmet menus. Those seeking to conspicuously express their social status will expect to see local wild Exmoor venison as a menu option and ultimately constitute the market of end users for potentially illegal meats. While these agents are less likely to be brawling outside the Newquay Wetherspoons at closing time, they contribute to other strains on the emergency services in their own fields of recreation. Boating and sailing are popular in the region and police are expected to attend emergencies at sea, which the coast guard are first responders of. Due to the police being obligated to attend these non-crime related seasonal leisure accidents, they are unable to maintain effectiveness in controlling criminality with limited resources.

Not only does the seasonal population surge place additional burdens upon statutory authorities and public services, but it also activates motivated offender's causal liabilities. The same environmental health expert guardians who would otherwise maintain regulative control over venison supply chain operators, such as vendors catering for the summer festivals, must now do spot checks on the colossal array of seasonal outlets which pop-up for the brief but lucrative summer holiday period. Transient regionally specific contexts which create an absence of expert guardians to control illicit food enterprise activities that they might otherwise have a better chance at regulating. A problem highlighted by this expert respondent:

*'Every time that he goes to his immediate bosses about a poaching or a traceability issue regarding venison, they're not very interested, at all, because they've got far more concerns about restaurants in Newquay'.*

(Wildlife manager and Deer Society Accessor, interview, 2017).

The holiday makers staying at the rural and seaside holiday camps and B&Bs at the other end of the socio-economic spectrum also create the marketplace for illicit venison to be consumed. The many visitors create an increase in demand for potentially illegally taken meats and are one of the primary outlets for the grey goods. Holiday camps were often mentioned in the research by expert respondents alongside pubs and hotels when speculating where illegal meats were destined for, as noted in the quote opening this subsection, by a local deer welfare expert, who also made the following remarks:

*'The number of pubs, restaurants, cafes, hotels that buy back door carcasses, and a lot of these illegal deer are sold in the skin straight to the back door of a hotel or a restaurant and you'll see on many, many local menus it says local venison.*

*When you ask them where it came from, they neither know nor want to. It's cheap meat, they sell it at a massive profit. Say £150 for carcass, by the time they've put it on the plate, they've probably sold that for five or six hundred pounds'.*

(Deer surgeon and animal welfare expert, interview, 2016).

These issues further create the enabling conditions for grey game enterprise activity because the transient consumers creating increased demand coincides with the closed season for most species of deer. A factor which makes the lawful dispatch improbable and could precipitate a catastrophic public health event, should contaminated meats be consumed on mass. It is also an offence under food hygiene regulations for a dealer or wholesalers to freeze venison meat. So venison cannot be supplied in large quantities at that time period during the episodic surge in tourist demand for the product. Outlets have been witnessed marketing venison as 'fresh wild local venison' during closed season, which signifies either a wildlife or food crime, in the form of dishonestly and

deliberately mislabelling produce has been committed. Under these highly favourable conditions, motivated offenders are being enabled. They are reacting to the cultural conditions of episodic heightened demand for their produce, combining with distracted capable guardianship, due to a significant population surge to the deer rich region. These contingent standing conditions are also regionally specific. Other Red Deer rich regions, such as the (relatively climatically bleak) Scottish Highlands do not see such a marked transient surge in visitors to the region and the consequent strain on public services during the summer months and closed deer seasons, the way that the South West does.

Senior level expert enforcement officers also note that the de-funding and closure of social services providers has placed additional non-crime related burdens on the capabilities of expert guardians (Blair, 2016; Dodd, 2017). While the structural abandonment of social services provision required by the elderly, vulnerable and mental health service users is a U.K wide phenomenon, amplified by fiscal austerity policy programs, secondary data alludes to the consequences of the abandonment of social services being especially felt by rural police forces. According to *Guardian* research, '37% of officers' time was devoted to dealing with incidents involving some mental health aspect' during one month of data collection by Suffolk constabulary (Asthana and Gibson, 2016: 23). As well as being a premier tourist destination, the South West is a high-density region for retirement and nursing homes. I myself am well aware of the differences in population demographic when I walk along the town seafront of my home town in Devon, in contrast to my time spent at university in Cardiff and London. The region is referred to as 'The English Riviera' for good reason and is why seniors wish to see out their twilight period in the most picturesque of surroundings. My late grandfather utilised the services of a retirement care home and my friends are employed by them. According to Home Office data Devon and Cornwall constabulary 'experienced significantly more missing persons than the average force'. 22 missing persons per day are recorded, compared to the national average of 12 per day (Asthana and Gibson, 2016: 24). My own documentary analysis of the regional police forces social media accounts over a three-year period has captured daily posts regarding missing persons, but only one on wildlife crime, relating to an incident of fisheries poaching. Responding to cases

of missing persons is resource and time intensive. When these localised conditions combine with reduced police officer numbers, they produce the context which constrains frontline expert guardians. Former commissioner of the Metropolitan Police Force, Sir Ian Blair notes that powers under Section 136 of the 1983 Mental Health Act are being used by officers 50% more today than a decade ago and suggests '[t]hese numbers are a symptom of a crisis in mental health provision' (Blair, 2016). It should also be recalled that Trading Standards officers with expertise in animal welfare have a duty to protect under the Care Act. Enforcement guardians are distracted from wildlife crime prevention duties and forced toward providing care for service users because the specialist care institutions have been defunded under protracted austerity programs. The burden placed on crime enforcement officials to be ad-hoc social services providers and experts in non-crime related demands, who already suffering from rural regime abandonment, in the regional context of the rural West Country and especially during peak season, constrains their abilities to respond to grey game enterprise crimes.

## **7.10 Conclusion**

A range of contingent conditions have been identified in this chapter which co-produce the emergence of grey game enterprise activity in form of the illegal taking of deer and the illicit processing of venison. The chapter has explained the conditions under which illicit enterprise actors are motivated, or their powers enabled, and why capable guardians are rendered absent, or their powers constrained. The conditions are observable in the right-hand 'distal' column of the script visualisations, included in the previous two chapters and the appendix. They are a contingent assemblage, because austerity programs conceptualised as regime abandonment, are not alone necessary for the emergence of illegal deer taking in Devon. It is however an economic condition that facilitates rather than frustrates scripted illicit meat enterprise, with its impacts heightened when interacting with the various local conditions specified. Activities which are emergent from a specific historical 'peak-season' context, in the rural West Country, a region which has the most badger cull zones. These

conditions are not necessary for the emergence of offending but are the factors which generate the offending in the case of these specific contexts. The chapter has presented the contingent structures enclosing the situated activities of the previous two script chapters, which has not obviated institutional analysis of political economy, the way other types of 'realism' is prone to. The chapter has shown the strengths of a social relations crime script over models based in rational choice. The conditions included point thinking and potential interventions toward unexpected areas, such as the DEFRA badger cull policy, EU game-meat regulations, the inequity of budgetary allocations to rural police forces and local regulatory agency policy makers deprioritizing the eco-centric imperatives of wild-game meat enterprise regulation. This unity of diverse conditions has actualised deer and venison crimes in the secluded South West in the precise form captured in the two previous script chapters. It also shows that an absence of guardianship is not primarily caused by the inefficiencies of officers in the region, but the structural relations of policy makers in Westminster, Brussels and elsewhere.

## Chapter Eight

### Conclusion: Beyond the Frontier

#### 8.1 Introduction

This thesis has explained the organisational characteristics of a hitherto unresearched crime commissioning process that has implications for future research. Emergent from the un-regulated grey game markets of the rural West Country, the type of illicit activity has been accurately depicted as a mundane fauna crime. The specific type of mundane fauna crime, that is the combining of illegally taking deer and illicitly processing venison, can be understood as grey game enterprise crime. It can be said to represent a frontier of contemporary criminology due to its grappling with problems shaped and being co-determined by rural environmental factors. The work therefore contributes to green criminology, wildlife deviance and food crime. The organisational characteristics of the criminality and their conditioning contexts were presented as a realist social relations crime script. The script grappled with both agency and structure, using a critical realist ontology, with routine activity theory as a core generative condition. This model of crime script enabled the exposition of a variety of remote standing conditions, which unexpectedly, and often seemingly unintendedly, generated proximal aspects of the commissioning processes. This ontological expansion of the script revealed vulnerabilities for intervention in places outside of situational settings and shows the strengths of using a realist script to explain future problems. The thesis has developed novel and innovative concepts for explaining the illegal taking of deer and the illicit processing of venison in the secluded South West. All of these will be summarised in this final chapter. The chapter begins by offering a final analysis of the problematic researched in the thesis, it then discusses the implications of the thesis. It moves onto providing a summary of the core findings of the research and closes with a discussion of what the future might look like across the frontier.

## **8.2 Final analysis**

This thesis has shown that the mundane fauna crime of grey game enterprise is the emergent tendency of multiple diverse determinations. A diversity of determinations that rational choice analysis cannot adequately account for, due to omitting distal conditions from its epistemological claims, and that radical interpretivism cannot elucidate, due to bracketing materiality from its discursive-centred descriptive accounts. This analysis has therefore shown the strengths of Critical Realist philosophy of social science for providing aetiological explanations of the organisational characteristics of the problem, or accounts of the both the structure and agency of the crime commissioning process. This thesis has demonstrated the strengths of the social relations crime script for bringing the analysis of those multiple, coexisting and interacting, proximal and distal determinations, into the concrete.

## **8.3 Implications of the research for the advancement of criminological knowledge**

The contributions that this thesis makes to future research will now be discussed as follows. The mundane fauna case study of illegally taking deer has reformulated and advanced understanding of what was, prior to this research, referred to as the wildlife crime of poaching, interrelated to black markets. Little was known of the realities of the offence, which had no pre-existing academic or policy literature on the British case. This thesis has shown that in the case of the secluded South West, the convergence of proximal and distal factors disclosed throughout provides favourable conditions for offending to emerge in this distinct form. It can be generalised from the empirical case study, that in rural regions with similar conditions of existence, the illegal taking of deer will arise due to its relation to licit venison enterprise structures and extensive local market demand. Other combinations of conditions are likely to produce alternative crime scripts. Hence, hare coursing primarily exists in the flat lands of the arable East and not the grey game cultures of the South West. Legislation such as the badger cull or the Hunting Act has no causal powers in conjunction with hare coursers, who do not have permission to be on private property nor

are they able to justify their presence in remote areas due to the pretences of the cull licence. This contribution therefore highlights the imperatives of disambiguating 'poaching' from 'rural crime' and 'wildlife crime'. Under the standing conditions notable in this study, the illegal taking of deer is more accurately explained as organised illicit entrepreneurial activity dependent on legitimate meat markets and rural workers. This combination of relations has been conceptualised throughout as 'grey game enterprise' crime.

The contingent conditions elucidated in the penultimate chapter showed that due to the prioritization of anthropocentric orientated problems, by the responsible institutions, deer are 'abandoned' and thus rendered the suitable victims of 'signal-less' offending. This condition is compounded by severe resource starvation, due to austerity and its particularly pernicious impacts on rural regions. This research therefore contributes to the growing interest in expanding the ontology of victimhood in green criminology. The ontology of the victim under these terms is reconstituted and expanded from the anthropocentric, or human centred, to eco-centric, or non-human species. Addressing the subordination of anthropocentric victims is significant as it has been noted that the routine taking of deer is depleting local gene-pools of healthy specimens and consequently impeding the reproduction of deer herds in the region: a region which is, or potentially now was, home to the healthiest and best examples of the largest wild animal of the British Isles. In addition to contributing to this general expansion of victimhood, it extends our understandings of eco-centric victimisation further, in an original form. It advances beyond the traditional non-human victims encapsulated by the populist megafauna concept, such as lions and tigers, to victims of mundane fauna crime. This is significant in an era defined by advanced global warming and the destruction of eco-systems. Mundane fauna is critical for the reproduction of those ecosystems and ultimately to life on earth.

The thesis contributes to understandings of food crime through the adaptation of governance and regulation literatures. This contribution is significant because the entrance of contaminated deer into food supply chains poses a critical threat to public health. The research showed regular alleged

instances of inexpert butchery of carcasses that are potentially contaminated with TB. Those supply chains provide meat to the sprawling South West tourist trade, as well as regular markets constituted by restaurants, pubs and hotels. This research has shown that grey game market regulation in rural regions has been 'abandoned' by policy makers, due to the market's low-priority status as a production industry, when contrasted with livestock and fisheries. This institutional abandonment, in the context of (failed) 'self-regulation' and sheer ineptitude of wild-game regulatory policy, has culminated in the venison production industry being 'captured' by enterprise actors operating within it. Suspects have captured the industry from policy makers who have abandoned it. The defectiveness of venison production traceability systems are systematic failures of legislation; these systemic failings of governance provide conditions for rural rogues too enticing to avoid. What has been abandoned from above by the state, has been captured below by the suspects. The thesis has therefore adapted theories of regulatory accommodation and capture for literatures on hitherto unknown counterfeit consumption markets. These problems have superseded previous iterations of industry based mundane fauna crime and cohere with contemporaneous treatments of enterprise crimes (Nurse, 2011: 46; Lord et al, 2017b).

Finally, this thesis contributes to the adaptation of theories of deviance rooted in the urban experience. It has rejuvenated the theories of indefensible space, regime abandonment and signal crimes, and transposed them into problems emergent from the rural frontier. These gains, in conjunction with the precision of the concepts of illegal taking and grey game enterprise themselves, provide a significant conceptual apparatus for future researchers of other mundane fauna crimes or rural criminology more generally. The thesis has also succeeded in this model of adaptation by showing the capabilities of the realist social relations crime scripts framework and its coherence with routine activity theory. This model of script has enabled the analysis to diagnose problems situated in (or the causal capacities of) policy, such as the badger cull and its localised impacts in Devon, legislation, such as EU food regs and the Hunting Act, and economies such as protracted austerity programs and rural abandonment. From a realist perspective, this research has not merely cast the offending as

problems of the South West soil. This is significant because it draws attention to systemic conditions inscribed into structure, and to incompetent or problematic policy makers, rather than over-burdened enforcement agents or poor situational preventative measures. The realist social relations model exposes an elaborate array of distal or remote vulnerable intervention points into the crime commissioning process, which are omitted from rational choice script models. Indeed, as the script turns, our gaze is drawn beyond the field and the barn, to the treeline and horizon above them.

#### **8.4 Recap of data chapters: empirical and conceptual contributions**

Chapter four revealed the fundamental generative structure of the crime commissioning process. From those combinations of internal relations emerged offences that have not been empirically registered prior to this project. New conceptualisations were therefore built to understand and explain them. The necessary condition for offending was broadly identified from a routine activity perspective: motivated offenders can prey on suitable victims due to an absence of capable guardians in rural parts of the highly secluded South West. However, this alone was insufficient to explain offending, because it was conducted not by marauding external folk devils, which bigger fences and better gates might hinder, but local rural and meat industry operatives on their own private property. Routine activity theory was therefore augmented with social relations perspective to grasp this unconventional amalgam. This provided an ontological acknowledgment of the grey game enterprise status of the offenders and their blurring with informal guardians. Rural workers and venison retail vendors cloaked offending in their legitimate business practices and concealed the illegal meats by integrating them with legally obtained product. Offending was therefore neither opportunistic, nor a type of revenue protection, but was ancillary in its form.

Realist social relations theory also established the social ontology of illegal deer taking. The approach showed that because of land ownership or shooting rights, the offending was no longer amenable to the legal definition of

'poaching'. Offenders and informal guardians also became intertwined and not readily identifiable without the social relations synthesis; hence the redefinition of the problem as one of the 'illegal taking of deer'. The proximal concept of the indefensible rural wilderness was coined in order to explain how offenders were situationally enabled and motivated by their isolated surroundings. Such confused, inhospitable and inaccessible physical terrain also thwarted any capable guardianship; these are the perfect surroundings for motivated offenders to converge with suitable victims. The signal-less crime concept was then constructed to explain how illegal killing of mundane fauna does not create fear or concern in the human communities of rural regions, due to the perceived normalcy of killing animals as countryside traditions, often by elite actors. The killing is either accepted as practice essential to rural professions, such as farming and countryside management, or it is enjoyed by so-called blood sports enthusiasts. Resource starved capable guardians were therefore not obligated to respond to the signal-less crimes, which they instead abandoned.

Chapter five presented the scripted organisational characteristics of the illegal taking of deer and revealed the commissioning process in a crime script. It is this combination of ordered and discrete, but interlinked, activities that explains the decisive accomplishment of the crimes. Suspects were shown to be granted access to plentiful hunting grounds by one of two core modes: by means of their employment as rural workers, such as gamekeepers, rogue deerstalkers or farm hands, or through owning meat retail outlets and rural land. Motivated offenders are best explained using social relations theory due to their ability to negotiate access to deer through their employment position, or by socio-economic status as owners of rural properties, something that the archetypal construct of landless poacher was unable to do, and a contemporary social process that rational choice models are unable to adequately account for. Suspects then killed deer on their own lands, away from prying eyes, often from camouflaged towers, which were built in contravention of local authority planning laws. This finding highlights the importance of the realist script model by noting that an array of other agencies are implicated in intervention or enforcement, and not solely wildlife crime police officers. The political economy of local deer management was discussed in relation to the Hunting Act 2004. The

causal capacities of the act were shown to be triggered under the local conditions specific to the South West. The conceptual apparatus of regulatory capture and accommodation was used and adapted to explain the connivance of informal guardians in the form of local property owners and farmers in the relation to the conditions produced by the Act.

Chapter six continued the chain of events constituting the commissioning process. It discussed the turn of the script from illegal taking, to the illicit processing of venison. The stages of the commissioning process in this chapter require insider access to actors and processes in the meat industry. They represent breaches of food production compliance standards enabled by absent and captured guardians, ultimately due to defective policy, which stipulates the regulatory body in charge of game dealership guardianship, as well as 'self-regulation' in meat enterprise. Venison production processes in the South West were revealed to have been depleted of any capable guardianship through distal conditions that contextualised the emergence of the script. Poorly designed policy regulations encourage offending in the form of professional malpractices, from the gate to the plate. The way in which carcasses enter approved game handling establishments was a notable weakness in supply chain integrity. The regulatory agency ensuring compliance to standards switches at the critical moment that carcasses become meat produce. The chain of command shudders and switches (and ultimately ceases) at a pivotal moment, which was shown to provide conditions favourable to illicit activity; there is a clear absence of guardianship at game handling establishments due to bad policy and the incapacitation of FSA vet inspectors. Other points of entry for carcasses into local supply chains at the retail outlet level are left vulnerable due to budgetary cuts to capable guards in the field and to the reallocation of scarce resources away from 'signal-less' eco-centric crimes, which are deemed low priority by policy makers. The venison traceability system was also shown to be highly deficient and vulnerable to fraudulence.

Chapter seven discussed the contingent conditions structuring the scripted offending processes and explained how various contexts enabled motivated offenders and constrained capable guardianship. The combination of

economic conditions, which constrained capable guardianship of the problem, were presented in the following formula: austerity policies directed by the treasury of the presiding Conservative government produced a budgetary deficit for public services at the macro level. Police forces and regulatory agencies, such as Trading Standards and Environmental Health are severely adversely impacted by the deficit, in the model of resource starvation. According to experts I spoke to in both agencies, their staffing levels have been halved and their jurisdictions had doubled. Rural police forces were shown to receive a smaller allocation of the reduced budgets, due to an inequitable per-person metric formula, which does not consider the dramatic transient seasonal population surges that the South West experiences. This empirical observation is understood in terms of structural abandonment and potentially has meso-level impacts. This suggests that less productive regions are overlooked by state funding and receive less private inward investment than their urban counterparts. Ultimately, this manifests in acute resource impoverishment, which results in the incapacitation of regional rural guardians. Once rural public services, such as regulatory agencies, allocate the markedly reduced budgets, both mundane fauna crime and grey game prevention are deemed low-priority and are overlooked to the point of abandonment; at the local level there are no full-time wildlife crime officers in the South West. Additionally, there are funds to allocate to the badger cull and to policing it, but not to disrupt organised illegal taking of deer. A rural crime unit on Dartmoor is focusing on road closures, speeding vehicles and untaxed vehicles, with no mention of any type of eco-centric initiatives. This type of abandonment incapacitates specialised capable guardianship in the form of the experts interviewed throughout this research. Their expertise is perceived as unnecessary for responding to and preventing the anthropocentric threats inscribed into human-centred threat-harm policing models. There is a tension between disinterested local policy makers and local specialist enforcement agents.

Policy directives in the form of the organised badger cull were shown in this chapter to be enabling the capacities of motivated offenders. The DEFRA policy provides ideal working conditions for suspects to justify their presence in the deer rich wilderness and the practices to conceal the illegal taking of deer

among those official duties. Devon, the primary county researched, was shown to have double the amount of cull zones than any other English county. Wales has none. This illustrates the importance of incorporating geo-historical contexts in crime scripts, which rational choice models obviate. European wild game meat regulations were then identified as being incompatible with British hunting practices. It thus enabled the simple taking of deer by illicit professional activity, with no regulators auditing the amounts of meat being supplied in 'limited quantities' to local establishments. These political economic conditions motivate offenders, due to creating such alluring incentives, with no perceivable deterrent. A goldrush market for stolen goods was then identified in the thriving seasonal South West tourist trade: a transient condition that also frustrates the reduced police and regulatory agencies' capabilities due to anthropocentric imperatives. Such conditions create both market demand for illegal meats and therefore enable motivated offenders, while also incapacitating under-resourced capable guardians.

Of critical importance to the analysis of the thesis, and one which was enabled by the realist social relations approach to crime scripts, is the vast array of mechanisms and conditions which were alighted upon. It has argued against mono-causal accounts based in restrictive ontologies and shown that the organisational characteristics of the illegal taking of deer in the secluded South West is a rich unity of diverse determinations. The scripts have offered a way of responding to that unity, by exposing the vulnerabilities of those determinations to intervention. The thesis has advanced an aetiological understanding of the crime commissioning process and offered theories for the organisational characteristics of mundane fauna grey game enterprise crime explained throughout.

## 8.5 Proposed responses to reduce the illegal taking of deer: Critical intervention mechanisms in the crime script

This section provides a concise source for practitioners and policymakers, with intervention mechanisms revealed by the realist social relations script analysis.

	<b>Problem</b>	<b>Solution</b>
Mechanism 1	The abandonment of signal-less mundane fauna crimes during austere times by policymakers.	Recognition by local, regional and national policymakers that crimes against wildlife require prioritisation and resource investment. Fulltime, designated, wildlife crime police officers for each rural police force.
	<b>Problem</b>	<b>Solution</b>
Mechanism 2	Per-person police funding formula adversely impacting less densely populated rural regions.	Funding formula to incorporate peak-season population numbers (not low-season).
	<b>Problem</b>	<b>Solution</b>
Mechanism 3	Prolonged deployment of austerity regimes, budgetary and staffing reductions, in conjunction with increased operational responsibility.	An end to divestments of public services and the simultaneous extension of services' jurisdictions: Expansion of capable guardianship.
	<b>Problem</b>	<b>Solution</b>
Mechanism 4	Self-regulation policies and deregulation of business under Tory government, resulting in meagre official independent oversight.	The abolishment of self-regulation in enterprise: regulatory oversight returned to the state – Environmental Health and Trading Standards. Known suspects of illegal taking or illicit processing to have unannounced occupational premises checks regularly (twice weekly).

	<b>Problem</b>	<b>Solution</b>
Mechanism 5	The DEFRA officiated Badger Cull is being used to legitimise and conceal illegal taking of deer and other wildlife crimes.	Individuals in rural occupations should be prevented from engaging in the badger cull, instead animal welfare charities such as the RSPCA should be entrusted (if the cull is deemed necessary).
	<b>Problem</b>	<b>Solution</b>
Mechanism 6	The Hunting Act 2004 is being exploited by illegal takers for its perceived effects of increasing unwanted deer populations.	The Hunting Act 2004 enforced and resourced. Excess deer populations humanely culled by animal welfare experts (not in rural occupations).
	<b>Problem</b>	<b>Solution</b>
Mechanism 7	Suspects seeking out and purchasing land adjacent to plentiful deer habitats, to entrap and kill deer on.	Offenders served with injunctions on stipulated lands or previous convictions cannot purchase adjacent property (fields, etc).
	<b>Problem</b>	<b>Solution</b>
Mechanism 8	The capture and connivance of rural landowners with illegal takers who allow, encourage and enable criminality.	Landowners are legally accountable for the actions of those employed on their property, to include gamekeepers, deer stalkers, farm hands and other rural workers. Owners found colluding with or enabling illegal takers to be punished with fines, the removal of occupational licences and facilities for enterprise (dogs, driving licence, etc).
	<b>Problem</b>	<b>Solution</b>
Mechanism 9	The hunting exemption clause and other practices embedded in EC Legislation 178/2002 which provide opportunities for deviance and professional misconduct.	Laws to be written in Britain or to be written for consistency with British hunting methods and practices.

	<b>Problem</b>	<b>Solution</b>
Mechanism 10	Open door policy provided by AGHE's encourages illegal taking.	Termination of roundsmen systems by AGHE's and 24hr AGHE carcass deposit schemes. Deer only accepted during daylight hours. CCTV surveillance in all establishments accessible to agents, severe penalties for breaching law.
	<b>Problem</b>	<b>Solution</b>
Mechanism 11	Defective supply chain traceability systems for deer and wild game.	The creation of a robust auditing and traceability system for wild game and deer processing. Brought in line with livestock systems or continental deer stalking: tags must be purchased from DEFRA before deer are dispatched and processed. Severe penalties for those without these credentials.
	<b>Problem</b>	<b>Solution</b>
Mechanism 12	Food Standards Agency vets accommodating deviance in cutting plants, enabling illegally taken deer to enter supply chains and incapable guardians.	Oversight and enforcement of AGHE's to be conducted by local Environmental Health experts, not the Food Standards Agency.

*Figure 7*

## 8.6 The future of mundane fauna grey game enterprise research

The implications of what this thesis has found for the following domains, is as follows:

1. Explanations of the under-researched problem of mundane fauna crime should be disambiguated from observations on megafauna, which is currently the core focus of wildlife crime studies. To understand the necessary relations that generate the offences, political economy and other distal contexts should be interrogated. This implies a problematisation of institutions and state apparatus, such as DEFRA, Natural England, the FSA and the Cabinet. Future research is therefore destined to be critical and normative, not descriptive and managerialist, if it seeks to address real problems embedded in harmful structures.

2. Research extending the boundaries of 'green criminology' should continue to expand the ontology of the victim in non-human species' studies. This iteration should pass from anthropocentric, to eco-centric, and from mega, to mundane. Research and action should exist dialectically if irreversible harm to biodiversity, flora and fauna is to be avoided. An interrogation into what might be termed peak environmental compassion fatigue would be helpful, to understand the negative consequences that the current moral panic around plastics on beaches and in oceans is presenting to other fauna flash points that are being overlooked due to the oceanic panic.

3. Research into the relationships between rural enterprise source sites and potential corporate urban end markets would be advantageous. A social relations crime script would be an appropriate framework for the analysis of how produce arrives at London venues, or elsewhere, and what conditions facilitate transit from the rural West Country. Empirically such analysis could identify the relations between small to medium business 'enterprise' actors and 'corporate' entities, if large scale and commercial, transnational actors are implicated. This empirical understanding could also identify criminogenic relations between rural and urban networks. These understandings could advance theoretical

knowledge of the interrelationship between enterprise and corporate crime, while also identifying disparities between them, to make those two distinct thematic areas more robust.

4. This analysis briefly touched on the pernicious effects of chaotic conceptions produced by elite agents. MPs belonging to the Conservative Party were shown to be outwardly expressing concern for environmental issues, while allegedly allowing multiple wildlife crimes to be committed on their properties and refusing to levy eco-friendly taxation on one-use coffee cups. Likewise, members of the British Monarchy were shown to be expressing concern for the protection of megafauna and directing rural initiatives, while also intimidating and lobbying the RSPCA until it conceded to cease investigating the wildlife crime of fox hunting. Further research into these wildlife crimes of the powerful is required. Understandings of the causal potentialities of such conditions to produce the legitimisation of mundane fauna persecution in wider society is required. Such research could inform a 'State-Enterprise' (rather than 'Corporate') criminology as a subfield of green and rural criminology.

5. Further research is required into the complex interaction between the ideational condition of signal-less crimes and the material condition of rural regime abandonment, in the co-determination of negligence of eco-centric imperatives. Such research would further knowledge on the abandonment of crimes against mundane fauna by local and national policy makers and the relation to regional political economies.

6. Days before submitting this thesis, Twenty-Nine Vietnamese nationals were found captive in transit, in a lorry, in Devon (BBC Cornwall, 2019). Modern slavery, domestic servitude and human trafficking are known to be associated with rural work and especially in secluded, indefensible wildernesses. Future research on the potential links with these emerging trends and grey game illicit enterprise crimes could therefore be advantageous to disrupting emergent anthropocentric and eco-centric criminal activity.

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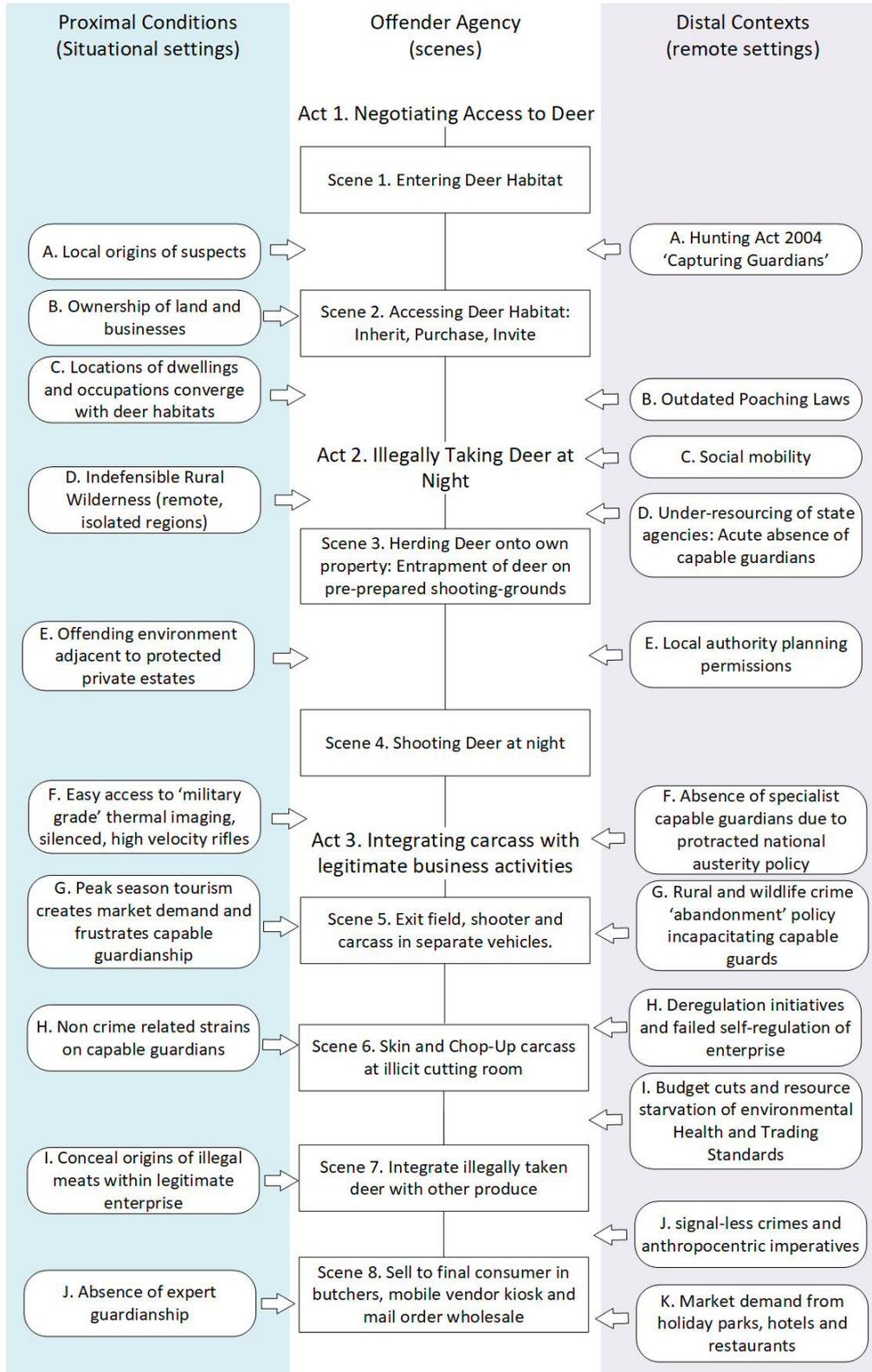
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# Appendices

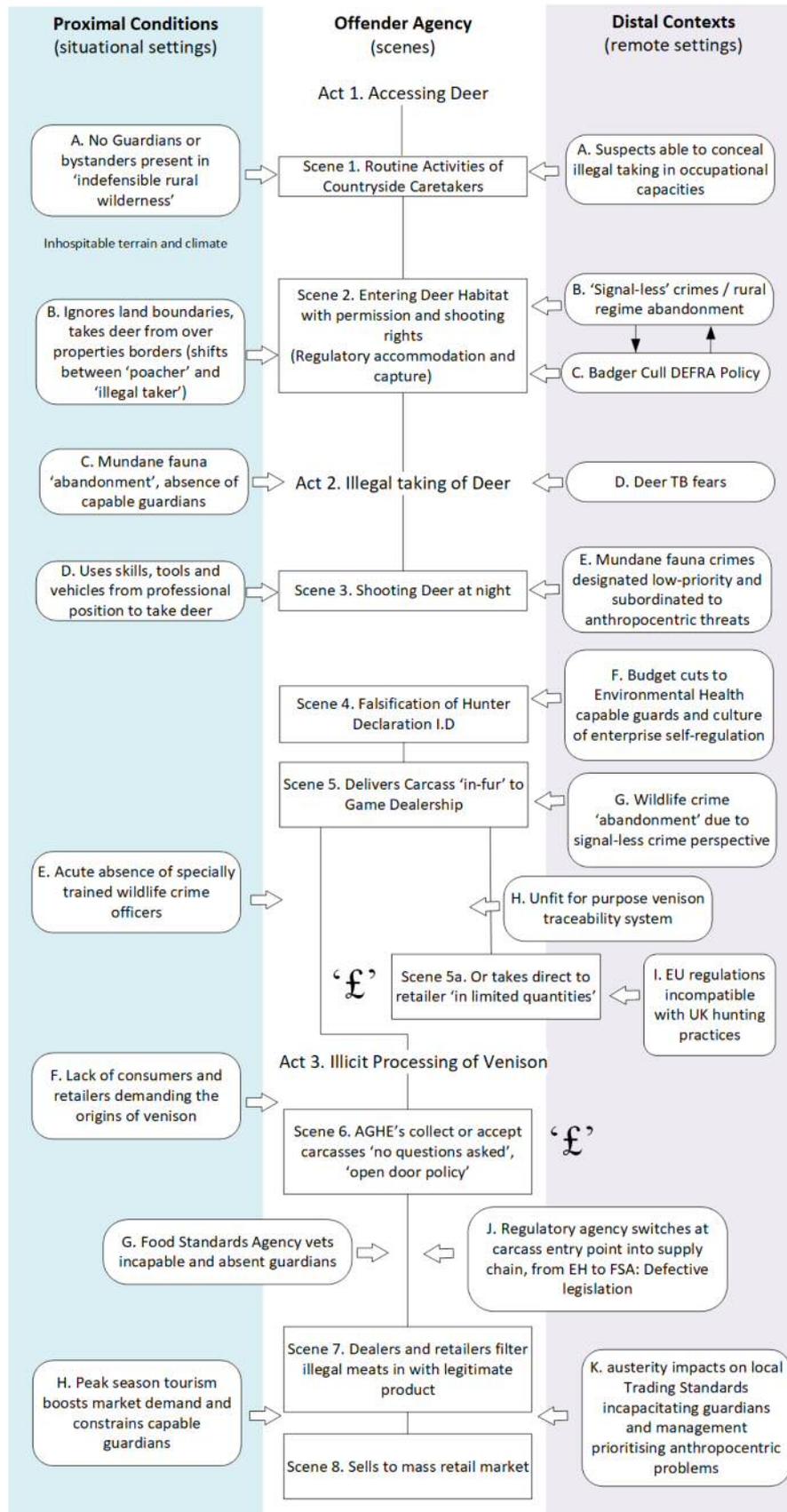
## Appendix One: Meat Enterprise Owners Combined Crime Script

### MEAT ENTERPRISE OWNERS COMBINED CRIME SCRIPT



# Appendix Two: Rural Workers Combined Crime Script

## COUNTRYSIDE CAREERS COMBINED SCRIPT



## Appendix Three: Grey Game Micro-Script

### GREY GAME ENTERPRISE MICRO-SCRIPT

