

## 04) Birding Protocol and Etiquette

The Society's members are amongst the *millions* of people that enjoy and go birdwatching, in one form or another, every year. Your personal interest in 'birds' and watching them might have started at a very young age, or perhaps later in life, after retiring? Possibly very innocently while walking the dog in a park and seeing species like Jay, Kingfisher, Nuthatch or Goldcrest; or when on a boat trip taken during a holiday and seeing Puffin or Gannets plunge diving; or when seeing Swifts 'screaming' overhead during early summer; or just while watching the many different bird species that visit your garden? The reason is not that important, but how we conduct ourselves when taking part in our hobby is very important. Birdwatching is as much a state of mind as it is an activity.

What we do when birdwatching should be common sense, but sadly rational straight forward common sense is often difficult to find and in short supply, as occasionally found when a rare species turns up! So to assist us the leading conservation bodies have together produced guidelines in the form of '*The Birdwatchers Codes*' to help everyone enjoy our hobby to its full potential, safely and without endangering birds and/or damaging fragile habitats.

It is a tremendous privilege to be able to observe birds in their natural environment. In return for this privilege, it is our responsibility to be respectful of both the birds and habitats. You have possibly heard of incidents of inconsiderate behaviour at a 'twitch' when the occasion and circumstances become all absorbing in the attempt to see a rare species. Fortunately this only happens infrequently and by a small minority, but it can still have very serious consequences and issues for the bird, habitats and creates bad feelings with the public and may prevent and/or restrict access by the landowner to any rarity in the future.

In general the six important things to remember from '*The Birdwatchers Codes*' are:

### 1. THE INTEREST OF THE BIRD MUST ALWAYS COME FIRST, AVOID DISTURBING BIRDS AND/OR THEIR HABITATS:

- ❖ Our personal perception of any site or occasion is very subjective. We each have our own ideas what is acceptable, which can vary quite significantly from that of others.
- ❖ Birds respond to people in many ways, depending on the species, location and time of year. If birds are disturbed they may move away from their nests, leaving broods hungry or susceptible to attack from predators who could take advantage of their unguarded eggs and/or chicks. During cold weather or when migrants have just made a long tiring journey, they need to feed and recover as quickly as possible. Repeated disturbance of birds means that they cannot do this and they use up vital energy unnecessarily.
- ❖ Whether you are interested in birdwatching, photography, sound recording, etc. please remember to always put the interests of the birds first. Intentional and/or reckless disturbance of some species at or near their nest site is illegal in the UK.
- ❖ Remain on public roads, bridleways and footpaths to avoid disturbing all habitats used by birds.
- ❖ Give birds plenty of space. Getting too close to a bird and making it stressed and/or disturbing their habitat must be avoided. Learn to recognise the signs. These are sometimes quite subtle and vary between species, but include increased movements such as agitated flapping or pacing. If these occur or a bird makes repeated alarm calls, then you are too close. Move back to a lower profile position and/or reduce the number of observers until the bird is comfortable. If the species is not comfortable it will, at best, take cover in dense undergrowth or fly away, which means that you and others may not get to see the bird at all or only have poor views.
- ❖ Use your fieldcraft skills at all times. You can disturb a bird(s) even if you are not very close! A flock of waders on the foreshore can easily be disturbed from 1-2 Km. especially if you are exposed on a seawall.

- ❖ Repeatedly playing of a recording of bird song and/or calls to encourage a bird to respond can divert a territorial bird from other important issues, such as feeding its young. Never use tapes to attract a species during the breeding season.

## **2. BE AN AMBASSADOR FOR BIRDWATCHING:**

- ❖ Think about your fieldcraft skills and personal behaviour such that you can enjoy your birdwatching as well as others.
- ❖ Not everyone will understand or appreciate our passion and enthusiasm to see a particular 'little brown bird' that has just turned up from another part of the world and might depart just as quickly as it appeared. But be patient and respect other people and their property.
- ❖ Lead by example and be courteous at all times to others that show an interest in our passionate and compulsive hobby. Advise why we wish to see the species that is present; it is the first time in the County/Country, or it has not been seen for many years.
- ❖ Always respond in a positive manner to questions from interested members of the public. They may not be a birdwatcher yet, but by sharing good views of a bird through your telescope and/or helpful answers to questions raised may ignite a 'spark' of interest. After all, something 'sparked' our interest.
- ❖ Your enthusiasm could start a lifetime's interest in birds for someone together with a greater appreciation and awareness of wildlife and its conservation.
- ❖ Do not accept mindless behaviour and challenge anyone that is behaving inappropriately. It may be that the culprit is new to birdwatching with limited fieldcraft skills and not fully aware of the implications of their actions and the subsequent possible consequences. But by doing this, do not put yourself or your personal belongings at risk of any danger at anytime.
- ❖ Always consider and use local services, such as shops for snacks and newspapers; Public Houses for evening refreshments; restaurants for meals; hotels and guest houses for accommodation; petrol stations for fuel and public transport. By raising awareness of the benefits to local communities of trade from visiting birdwatchers, this will ultimately enhance relationships and may help the birds themselves.

## **3. KNOW THE 'COUNTRYSIDE CODE' AND FOLLOW IT:**

- ❖ If you follow the '*Countryside Code*' wherever you go in the UK you will get the maximum enjoyment possible and you will assist to protect the countryside now and for the future.
- ❖ Legislation provides access for walkers to open country in the UK, and incorporates robust measures to protect all aspects of wildlife.
- ❖ It is important to note that the rules and codes differ considerably in each part of the UK, so plan and prepare ahead to ensure you know what you are permitted to do.
- ❖ In England and Wales a round symbol of a person walking denotes land open for public access on foot. This access is to land mapped as mountains, moors, heaths and down also to 'registered' common land. However, local restrictions may be in force for specific reasons, so plan your trip carefully in advance and always follow the applicable '*Countryside Code*'.
- ❖ For **England**, the '*Countryside Code*' and maps showing areas for public access can be obtained online at: [www.countrysideaccess.gov.uk](http://www.countrysideaccess.gov.uk)
- ❖ For **Wales**, the '*Countryside Code*' and public access maps can be found at: [www.ccg.gov.uk](http://www.ccg.gov.uk) or [www.countrysidecodewales.org.uk](http://www.countrysidecodewales.org.uk)
- ❖ For **Scotland**, the '*Scottish Access Code*' can be found at: [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com)
- ❖ It should be remembered that in **Scotland** access is quite different and is available to open country and to field margins of enclosed land to reach open country, provided you act in accordance with the '*Scottish Access Code*'.
- ❖ Although there is no statutory right of access in **Northern Ireland**, there is a lot of information, including the '*Country Code*' at: [www.countrysidecreation.com](http://www.countrysidecreation.com).

- ❖ Further information can be found at: [www.ccw.gov.uk/tirgofal](http://www.ccw.gov.uk/tirgofal).

#### **4. THE LAW AND ITS CONSEQUENCES:**

- ❖ The laws protecting birds and their habitats are the result of years of hard campaigning by generations of birdwatchers and conservation organisations. We must uphold them and make sure that we do not allow them to fall into disrepute.
- ❖ In **England, Scotland and Wales**, it is a criminal offence to disturb, intentionally or recklessly, at/or near the nest, of any species listed on "Schedule 1" of the *'Wildlife and Countryside Act 1981'*. For details and a full list of the "Schedule 1" species visit: [www.rspb.org.uk/birdlaw](http://www.rspb.org.uk/birdlaw)
- ❖ Disturbance could include the playing of taped songs and/or calls. The courts can impose fines of up to £5,000 and/or a prison sentence of up to six months for **each** offence.
- ❖ In **Scotland**, disturbing Capercaillie and/or Ruff at leks is also an offence.
- ❖ In **Northern Ireland** it is a criminal offence to intentionally disturb a bird at/and or near the nest under the Wildlife (Northern Ireland) Order 1985.
- ❖ The Government can, for specific reasons such as scientific study, issue licences to individuals that permit 'limited' disturbance, including monitoring of nests and/or ringing.
- ❖ It is a criminal offence to destroy and/or damage intentionally or recklessly, a 'special interest feature' of a Site of Special Scientific Interest (SSSI) and/or to disturb the wildlife for which the site was notified. In **England, Wales and Northern Ireland**, a fine up to £20,000 may be imposed by a Magistrates' Court, or an unlimited fine by a Crown Court.
- ❖ In **Scotland** the maximum fine on summary conviction is £40,000, or an unlimited fine on conviction or indictment.
- ❖ Should you witness anyone who you suspect may be illegally disturbing and/or destroying wildlife and/or habitats, telephone the police immediately and advice the location (ideally with the six-figure map reference).
- ❖ If safe, take photographs of the actions, vehicle registration numbers and/or the perpetrators as evidence. But do not put yourself and/or your property in any danger at any time.

#### **5. WHEN A RARE BIRD ARRIVES:**

- ❖ Telephones, smart phones, pager services and the internet now mean that you can receive and share your sightings instantly!
- ❖ Should you be fortunate to discover a 'rare' species, please bear the following in mind.
- ❖ Consider all the implications and the potential impact of spreading the news recklessly.
- ❖ Inform the landowner first, or the Warden of the nature reserve.
- ❖ Think seriously about the site, could it cope with a large influx of visitors and if the rarity and/or if any other sensitive species might also be at any risk? (i.e. breeding terns, flocks of waders roosting and/or rare plants, etc.).
- ❖ Suppression of any rarity is a contentious issue and subjective. Total suppression of any species should never be an option. But under special circumstances and/or if found in a sensitive location (i.e. the bird is in a domestic garden, on private property, in hospital grounds, in a school, on MOD land, on a motorway or main road, on a railway, etc.) temporary suppression might be required and considered. But only until the necessary safety precautions and/or viewing arrangements have been put into place.
- ❖ Speak to one of the Society Recorders (see the Membership Card/Fixture List or visit the website: [www.ebws.org.uk](http://www.ebws.org.uk) for their contact details), such that an informed decision can be made before divulging the details and location to any others such that orderly and safe viewing can then be organised.
- ❖ In the absence of any Recorder other experienced birdwatchers might be able to offer good and safe advice.

- ❖ The Society has specific arrangements in place should a rare species be found at either of the two Reservoirs at Abberton and Hanningfield, such that an organised 'twitch' can be policed with the full co-operation of the Water Company.
- ❖ If on private land, always talk to the landowner first. With sensitive and a little careful planning, access can often be agreed. This will also ensure that the species is not accidentally disturbed.
- ❖ There is often a donation 'bucket'. If not, consider organising a voluntary collection at the access point to the site to support the land owner or a local and/or wildlife charity/cause. Rare breeding birds are at risk from persecution and egg-collectors so funds are always welcome.
- ❖ It is therefore important to support the appeal in your quest to see the species, even if you fail to see the bird!
- ❖ If you are fortunate to see the rare bird, enjoy it, but do not let your enthusiasm overcome common sense.
- ❖ On arrival at the site park sensibly and respect all signage showing access restrictions, do not obstruct or block any roads and/or property entrances.
- ❖ Do not disturb any live stock and/or domestic animals.
- ❖ Do not damage any property, crops and/or sensitive habitats.
- ❖ Please be patient and queue orderly and quietly especially if the species is on private land and be patient as viewing might be limited to give others a chance to see the bird.
- ❖ Not everyone likes to see or agrees with an 'organised flush' and it should never be done in important wildlife habitats or where there are other nesting and/or roosting birds nearby. A 'flush' should not be organised more frequently than two hour intervals and certainly never within two hours of sunrise and/or sunset in order to allow the bird to feed and rest.

## **6. MAKE ALL YOUR SIGHTINGS COUNT:**

- ❖ It is important that you always send in all of your sightings (i.e. for *every* outing and for *each* site visited) to the Society's County Recorders.
- ❖ County Recorders are the mainstay of producing meaningful data from all the sightings reported in the UK and help to build the County's ornithological history in the form of annual Bird Reports.
- ❖ For a list of the Essex Recorders refer to your Society Membership Card/Fixture List, or visit the website: [www.ebws.org.uk](http://www.ebws.org.uk) or visit: [www.britishbirds.co.uk/countyrecorders](http://www.britishbirds.co.uk/countyrecorders).
- ❖ In some instances, irrespective of *anyone's* ability, a written description of the species reported is also required for the sighting to be considered and/or subsequently accepted. This is standard/normal practise in order to maintain the high ornithological standards throughout the Country. Each County endorses these identical procedures.
- ❖ Should anyone unfortunately have a sighting rejected for any reason, as many of us have, it is certainly not personal and please do not be put off submitting all future sightings.
- ❖ All data and sightings are very important to compile the current changing trends for all species. Without this data it makes the necessary and required conservation measures that much more difficult to identify and implement.
- ❖ Not only can you get involved in Essex records, but also other UK wide bird monitoring schemes, such as Breeding Birds Survey, Nest Records Survey, the Wetlands Bird Survey, etc. For further details visit: [www.bto.org](http://www.bto.org) and [www.rspb.org.uk](http://www.rspb.org.uk)
- ❖ If you birdwatch abroad, you can forward your sightings to the BirdLife International Partner in that country. For specific country contact details visit: [www.worldbirds.org](http://www.worldbirds.org). Your data could be important in helping to protect sites and/or species in the countries visited.

Having outlined the above and put the guidelines of the 'Birdwatchers Codes' into print along with recommendations and details where to access the 'Countryside Codes', the Society members are expected to achieve good fieldcraft skills, behave responsibly and are naturally considerate to birds, habitats, to other people and respect other people's property.

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If you are new to birdwatching we hope the above is of interest and helpful. By everybody following 'The Birdwatchers Codes'; coupled with applying that little bit of common sense and by taking the above into consideration it will help in many ways. We can then all enjoy seeing both rare and common species without endangering them and/or harming their habitat, and engage better with farmers, landowners and the public alike.

These codes of practise and moral standards should not only apply when attending twitches and when visiting nature reserves, but also whenever watching wildlife generally in the countryside both in the UK and abroad.

Lets us all continue to enjoy our birdwatching hobby in a responsible and considerate fashion.  
(References: BTO and RSPB)