

## ETHICAL WILDLIFE PHOTOGRAPHY

or

The welfare of the subject is more important than getting the photograph

The search for a dictionary definition of the word **ethical** would reveal that it is an adjective and that it relates to moral principles or the branch of knowledge that deals with these. Ethical wildlife photography is therefore the application of such moral principles so as to ensure that activities that do harm to either the photographic subject or its immediate environment are avoided.

### **How may this be achieved?**

There are already a number of guidelines that have been written and adopted by wildlife photographers. In particular the Royal Photographic Society (RPS) has drawn up a Code of Practice, through its Nature Group, in consultation with RSPB and the three Statutory Nature Conservation Councils which was last revised in 2007. The Nature Photographers' Code of Practice is available for free download from the RPS website :-

([www.rps.org/adminuploads/external/images/nature@rps.org/Nature%20Photographers%20Code%20of%20Practice.pdf](http://www.rps.org/adminuploads/external/images/nature@rps.org/Nature%20Photographers%20Code%20of%20Practice.pdf))

The key message of the RPS Code of Practice (CoP) is summarised in the alternative title above.

No attempt at wildlife photography should be undertaken if it puts at risk either the subject or its immediate environment. "At risk" is defined in the CoP as a risk of disturbance, physical damage, anxiety of the subject, consequential predation or a lessening of reproductive success.

### **Is a wildlife photographer guilty of a criminal offence?**

Many species, and in particular birds, are given special legal protection under the various Acts of Parliament that are currently in force. Therefore, under certain circumstances, where disturbance is apparent, a wildlife photographer is guilty of a criminal offence and is liable on summary conviction to a heavy fine. The CoP provides a list of current legislation and schedules that the wildlife photographer should be aware of. In addition, it would be prudent to be aware of the relevant sections of these acts and to keep up-to-date with their subsequent amendments or new wildlife legislation.

### **What are the practicalities of ethical wildlife photography and thus avoiding summary conviction?**

There are several practical measures that a wildlife photographer can take in order to comply with the CoP. Listed below are those that are considered the

most important, but are listed in no particular order of importance.

- Know how close is too close
- Continuously monitor for signs of disturbance
- Apply a good standard of Fieldcraft
- Make sure that you have the correct equipment for the job
- Be familiar with the natural history of the subject and its immediate environment
- Do not be tempted to attract your subject by using either bait or recorded calls
- Avoid the use of temporary hides, but if you do erect a temporary hide use good practice
- Seek advice, and any required permissions, from the local wildlife trust

### How close is too close?

The answer to this question lies in the choice of lens and camera that you intend to use for your wildlife photography project.

Subject size, camera sensor size, pixel count and the focal length of the chosen lens are all important variables that contribute towards the capture of that elusive, almost perfect photograph. A further variable is the end purpose of the photograph. A 16x12 inch print will require a higher quality of camera and longer focal length lens than that required to produce a photograph that is intended only for display on a computer screen.

The above can be illustrated by considering the following selection of camera/lens combinations:-

Camera	Sensor Size (mm)	Pixel Count	Actual Focal Length of Lens
Nikon V1	13.2 x 8.8	3872 x 2592	300mm
Nikon D500	23.5 x 15.7	5568 x 3712	600mm
Nikon D800	35.9 x 24.0	7360 x 4912	300mm

There are a number of websites available that provide an on-line tool that will allow the wildlife photographer to calculate either the required distance from the camera or the size of an object in a photo image. For the purposes of this illustration the on-line tool used can be found at [www.scantips.com](http://www.scantips.com) and uses the above camera/lens data to provide the required distance from the camera in order to give a usable image on the sensor.

Input Data :      Sensor Size =                    23.5mm x 15.7mm (D500)  
                         Object Height in Image =        3000pxl (80% of sensor height)  
                         Height of Real Object =            0.080m (small bird)  
                         Focal Length of Lens =            600mm

What the on-line tool will compute from this data is the distance the camera

needs to be away from a small bird in order to produce an image on the sensor of a Nikon D500 camera sensor which fills 80% of the frame height, using a 600mm lens.

Output Data : Distance to Object = 3.8m

The accuracy of this prediction was confirmed by photographing an object 0.080m high at a distance of 3.8m away. The resulting image was viewed using Lightroom CC and the image crop set to the height of the image. The crop frame pixel count was confirmed to be 3000 pixels high.

The on-line tool can be used in this way to give the output of Distance to Object for a variety of Height of Real Object values that relate to typical wildlife subjects, for any combination of camera and lens. The ethical wildlife photographer is therefore able to make their choice to ensure that they are minimising the risk of disturbance whilst taking the photograph.

<b>Nikon V1 +300mm</b>			
Object Height in Image (pixels)	Height of Real Object (m)	Distance to Object (m)	Typical Subject
2000 (77%)	0.08	3.5	house sparrow
	0.15	6.6	thrush
	0.3	13.2	red grouse
	0.6	26.5	mallard
	1.2	53	little egret
<b>Nikon D500 +600mm</b>			
3000 (81%)	0.08	3.8	house sparrow
	0.15	7.1	thrush
	0.3	14.2	red grouse
	0.6	28.4	mallard
	1.2	56.7	little egret
<b>Nikon D800 +300mm</b>			
4000 (81%)	0.08	1.2	house sparrow
	0.15	2.3	thrush
	0.3	4.6	red grouse
	0.6	9.2	mallard
	1.2	18.4	little egret

Note : The crop factor of the Nikon V1 results in an effective lens focal length of (2.7 x 300mm) or 810mm

These three camera and lens combinations result in different pixel counts for the Object Height in the Image (2000, 3000 and 4000 pixels). It is generally recognised that the eye cannot differentiate the quality of a print beyond 240ppi and therefore 240ppi represents the optimum print quality and to go better than this is unnecessary. When printed at a resolution of 240 ppi, the image from the Nikon V1 would be a little less than that desired to make a 16x12 inch print.

The risk of disturbance is recognised to be greatest during the breeding season. Schedule 1 of The Wildlife and Countryside Act, 1981 provides a list of protected birds for which it is an offence to recklessly or intentionally disturb them at or near their nest site, even during nest building. In the absence of an acceptable minimum distance between the camera and the nest site, it would be prudent for the ethical wildlife photographer to accept that the risk of disturbance would be significant if a minimum Distance to Object of 10m were not to be observed at all times and for all subjects.

It is apparent from the tables above that to comply with this self-imposed restriction and capture the near perfect image, the subject of the photograph would need to be large, clearly visible and the equipment necessary would involve a lens of focal length 300mm or greater.

Such equipment is rarely used by the casual photographer!

### **Continuously monitor for signs of disturbance**

When making an approach to a likely nesting area do so slowly, and with great care, from a point as far away from the area as practical and from where the behaviour of the birds can be observed. If the self-imposed minimum distance of 10m has not been reached but the birds show obvious signs of awareness of your presence, then stop and back track until they settle back to normal behaviour. Watch for the direction from which the parent birds are approaching the nest site and if necessary alter your approach vector so as to avoid crossing or using this same direction of approach.

Observe – Monitor – Adjust

The welfare of the subject is more important than the photograph.

### **Apply a good standard of Fieldcraft**

Leave no trace of your having been there by sticking to established paths and not wandering off piste unnecessarily. As you walk, watch where you are putting your feet so that you are aware of what you may be destroying in order to get your photograph.

Blend into the background, keep low and avoid breaking the sky-line so as not to create a visual disturbance as you make your final approach. Little or no disturbance is the aim!

## **Be familiar with the natural history of the subject and its immediate environment**

Use the Internet to teach yourself basic fieldcraft, the legal requirements of photographing wildlife and a general awareness of nature. Thus you will avoid causing undue damage to the broader natural environment whilst in pursuit of that definitive image of the subject in hand. It will also guard you against summary conviction and consequential heavy fines for breaches of wildlife legislation.

### **Case Study**

#### Little Tern Colony on Crimdon Beach

During the late spring/early summer an area of the beach is fenced off in order that the little terns may successfully nest and breed. The fenced area defines the area of the beach on which the little terns usually nest. The width of the area is defined by the high-water mark to the seaward and a saline lagoon to the landward. At the seaward there are several, approximately ten (10) metre long, fences that provide the little terns with a clear communal area outside of the fenced nesting site and the rising tide. This area is of significant importance after the new little terns have fledged, providing a rest and dispersal area prior to onward migration.

From discussions I have had with the wardens, who monitor the little tern colony around the clock, they require that all photographers observe a ten (10) metre buffer zone outside of the fenced area. In particular, they require that photographers do not stand at the fence, lean over it or poke their camera through it in order to take a photograph. They also point out that the setting up of tripods and the congregation of photographers on the top of the sand dunes to the north of the path to the beach should be avoided. The reason given being that this area is highly visible to the little terns as they go to and from the nest site and in the opinion of the wardens will constitute "disturbance" to the tern colony.

There are adequate view points on the higher ground to the landward side of the fenced colony area. Indeed, there is a seat part way up the cliff that is used by the wardens to count the nests and observe the whole colony.

### **Conclusion**

Photographers who "do" wildlife already have a code of ethics, e.g. that provided by RPS. However, there is an increasing trend, due to the easy availability of digital cameras and lens systems, amongst birders to use photography as their recording system.

There is little to now distinguish the true photographer from the birder, except for this code of ethics.

It is therefore incumbent upon all wildlife photographers to apply "The Nature Photographers' Code of Practice", as published by RPS and revised in 2007, to their work and for the birder to adopt and use these same ethical values too.

Wildlife photographers in England must be aware of the appropriate sections of the following legislation, publications and any subsequent amendments:-

The Wildlife and Countryside Act 1981

The RSPB publication "Bird Photography and the Law"

Protection of Badgers Act 1992

The Butterfly Society Conservation Code

The Conservation (Natural Habitats, etc.) Regulations 1994

Botanical Society of the British Isles (BSBI) list of rare plants and Code of Conduct

Natural Environment & Rural Communities Act 2006

The Countryside & Rights of Way Act 2000

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