

Kaimaumu man convicted of shooting godwits

An unemployed Kaimaumu man, Noble Sampson, was convicted of hunting and possession of an absolutely protected species, godwits, when he appeared before Judge BL Watson in the Kaitia District Court on Tuesday.

Sampson had denied the charge but his defence was rejected, Judge Watson fining him \$300 on each conviction with costs of \$130 and witness expenses, and ordered the forfeiture of a double-barrelled shotgun which he admitted possession of.

The prosecution called two wildlife rangers, the first of whom was Mr Mervyn Ross Atkinson, who told the court that he and fellow officer Mr Edward Charles Smith, were on patrol at Kaimaumu on March 3. He described Rangaunu Harbour as a traditional stop over for the godwit prior to migrating north to Japan and Siberia, and Walker Island as one of the main feeding areas for the birds while in the harbour.

The witness said he used binoculars to observe two men on Walker Island, both carrying firearms, from a distance of one to 1.2 kilometres. He watched one of the men move very slowly towards a flock of godwits, then saw both men join two other people in a small boat.

As the boat approached a flock of the birds he heard shots. The boat landed where the birds had been, and he saw one of the men, who he later identified as the defendant, pick up an estimated five objects and place them in a bag or cloth.

The man then collected a net strung between two poles on the sandbank and the boat returned to the Kaimaumu shore.

By the time the party arrived at their camp the witness was in a position to observe them closely, and he recognised one of the party as Sampson.

Mr Atkinson went on to say that he saw members of the group, including the defendant, making plucking motions with their hands while partially obscured from his view by pampas. He and Mr Smith then returned to Kaimaumu village, where they awaited another ranger and a constable.

They returned later with their reinforcements, and on the way back to the camp met a vehicle occupied by two women. The officers accompanied the women back to the camp where the vehicle was searched, the witness discovering two shotguns wrapped in a bloodstained cloth inside the car.

Both weapons had been

recently fired, he said. A quantity of 12-gauge ammunition was also found in the car, but a search of the boat produced nothing of consequence.

The defendant told the witness that he had been to Walker Island earlier that day to fish. He had also told Constable Archie Clark that both shotguns, one double-barrelled and the other single, were his.

Mr Atkinson also told the court that some 20 metres from the camp he discovered seven wings, two heads and a quantity of feathers from eastern bar-tailed godwits. The heads and wings still had fresh blood on them.

The defendant had claimed to have no knowledge of those remains, telling the witness that he had been shooting rabbits earlier in the day. Mr Atkinson told the court that he had seen no signs of rabbits in the vicinity of the camp, but there were a number of footprints in the area where the bird remains were found leading to and from the camp.

He told counsel Mr Ken Bailey that he had recognised Sampson as the boat reached the shore. He recognised his face at that stage, and also recognised him as the same person he had seen carrying a firearm on Walker Island by his general appearance, clothing and build.

The search of the camp had revealed no sign of any godwit bodies or empty cartridge cases.

Asked if he agreed that the double-barrelled shotgun still smelled of cordite, Mr Atkinson told Mr Bailey that it smelled of oil—he had oiled both weapons himself some days after they were seized.

Mr Smith corroborated Mr Atkinson's evidence, saying that he saw two men stand in the boat and fire into a flock of godwits. He identified Sampson as one of those two men.

While observing the camp he saw four people plucking birds.

The defendant told the court that he travelled to the camp, where some relations of his were staying, earlier that day to take them a net. He had been a passenger in the boat referred to twice that day, but had not taken a firearm to Walker Island.

Nor had he pursued godwits that day, but had used the boat to retrieve the net which had blown onto the spit. He and others then went fishing.

The guns arrived at the camp in a car driven by Bubs Waenga after his arrival there. He added that he thought Ms Waenga said she had been shooting rabbits that day.

He told Crown prosecutor Mr Hugh Drummond that he had not been in the area where the bird remains were found, but had walked past it from the boat to the camp.

Judge Watson commented that the issue initially boiled down to one of identification, but he had no doubt regarding the identification provided by the two wildlife officers or that the person they observed in the boat and coming ashore was the defendant.

He was also satisfied that the officers had seen the defendant plucking the birds that had been shot, and that the birds that were being plucked were godwits.

Judge Watson rejected Sampson's evidence as not being a truthful account of what had happened.