



The Moorland Association

**A SUBMISSION BY THE MOORLAND ASSOCIATION**

**TO**

**THE YORKSHIRE DALES BIRD OF PREY PARTNERSHIP**

**CONTAINING COMMENT AND EXTRA MATERIAL RELEVANT TO THEIR**

***‘BIRD OF PREY EVIDENCE REPORT 2024’***

**(WHICH WAS CIRCULATED – DRAFT V3 – JULY 2025)**

***THIS SUBMISSION IS DATED 12<sup>th</sup> SEPTEMBER 2025***

## **DEFINITIONS:**

**Moorland Association = M.A.**

**Moorland Association – Chief Executive – Andrew Gilruth = A.G.**

**Yorkshire Dales National Park = Y.D.N.P.**

**Nidderdale National Landscape = N.N.L.**

**And when combined = Y.D.+ N.L.**

**Yorkshire Dales Bird of Prey Partnership = Y.D.B.P.P.**

**Y.D.N.P. – Senior Wildlife Conservation Officer (ACTING) – Mr. Ian Court = I.C.**

**Royal Society for the Protection of Birds = R.S.P.B.**

**Hen harrier (*circus cyaneus*) = harrier**

**The Comprehensive Satellite Tagging Register = the 260 Register**

**The Murgatroyd Paper – ‘Patterns of satellite.....etc. = Murgatroyd**

**The Ewing Paper – ‘Illegal killing associated with.....etc. = Ewing**

**The ‘Bird of Prey Evidence Report’ – Draft V3 – dated July 2025 = the July 2025 report**

**The Steering Group comprises the:**

- **British Association for Shooting and Conservation = B.A.S.C.**
- **Country Land & Business Association = C.L.B.A.**
- **Cumbria Constabulary = C.C.P.**
- **Moorland Association = M.A.**
- **Natural England = N.E.**
- **National Gamekeepers’ Organisation = N.G.O.**
- **Nidderdale National Landscape = N.N.L.**
- **North Yorkshire Police = N.Y.P.**
- **Yorkshire Dales National Park Authority = Y.D.N.P.A.**

## **PREAMBLE:**

The Y.D.+ N.L. produced the report which was presented to the Steering Group as a draft (this version is V3 – July 2025) – comments were invited – the process for subsequent debate prior to final publication is not clear.

There was a meeting of the Y.D.B.P.P. held on 7<sup>th</sup> August 2025 during which A.G. suggested to I.C. that the M.A. could supply some further useful information for the report, not least information concerning the 260 satellite tagged harriers, the details for which were published by N.E. on their harrier tracking website pages.

As a result:

- I.C. e-mailed A.G. on 11<sup>th</sup> August 2025 requesting details of the M.A. contact – see e-mail number ONE
- A.G. responded by contacting David Greenwood (D.G.) – see e-mail TWO
- D.G. contacted I.C. on 12<sup>th</sup> August 2025 – see e-mail THREE
- I.C. responded on 13<sup>th</sup> August 2025 – see e-mail FOUR
- D.G. replied (also) on 13<sup>th</sup> August 2025 – see e-mail FIVE
- I.C. responded on 14<sup>th</sup> August 2025 – see e-mail SIX

Quite why I.C. appears to become opposed to the receipt of new information when the M.A. / D.G. suggested – *‘our careful analysis has revealed several interesting facts from within the publicly available data’* – (see e-mail number FIVE) is a mystery.

The M.A. findings were / are facts and do not *‘contain anything subjective or expressions of any particular opinion’* – therefore should have been welcomed by I.C. (see e-mail number FOUR).

Accordingly, the M.A. decided to compile this submission against the possibility that the Y.D.B.P.P. might be able to consider the facts presented against the content of the July 2025 report.

Regrettably, following the 7<sup>th</sup> August 2025 meeting, the Y.D.N.P. A. announced that the Y.D.B.P.P. was to be discontinued; which was / is a strange decision.

## **INTRODUCTION:**

The chronological train of events leading to this juncture is explained above.

The reasons why the submission of interesting facts appears to be controversial is another matter entirely.

The M. A. has, for some time, been carefully scrutinising the various data and reports concerning the progress of harriers.

It has looked in detail at the published material to ascertain whether anything more can be deduced from the records. This is against the disappointing and gathering conclusion that N.E. has merely been 'going through the motions' with the harrier tracking updates as published. It is hard to understand why N.E. could not maintain a rolling comprehensive register of all birds (from commencement – June 2002) in a single unified report, regularly updated with the latest results and information.

Similarly, why N.E. did not produce resumes of categories such as – illegal killing / post-mortem results / police investigations / natural mortality / predated nests / locations by area or region / intraguild predation / etc. – is astounding. The mechanical repetition of 'M.F.U.' (missing fate unknown) would be vaguely amusing were it not a serious failure of N.E.'s clear duty to maintain a comprehensive and accurate record.

Accordingly, the M.A. have now compiled a comprehensive satellite tagging register of all harriers fitted with tracking equipment from the commencement of the programme in June 2002 through to the last season – 2024 – for which N.E. have provided data – noting no entries for 2025 have, as yet, been posted.

This has resulted in a schedule of 260 entries ('the 260 Register') of which some 217 either have accurate Ordnance Survey six figure data (giving a 100 metre location) or longitude / latitude co-ordinates (in degrees / minutes / seconds) in the case of birds tracked beyond the U.K.

It is a notable frustration that there are so many 'WITHHELD' entries – 43 in total. The reasons there for are rarely followed up, resolved and reported – the same being true of the results of any police investigations. Leading to the inescapable conclusion that the reasons for such categorisation are not robust and the investigations simply fruitless, performative exercises in self-justification.

In conjunction with the 260 Register the M.A. has also analysed Murgatroyd. This oft-quoted study (published 19<sup>th</sup> March 2019) of 60 birds (not 58 as regularly and incorrectly noted) being both considered separately in a dedicated report, whilst also being identified within the 260 Register to give context.

In both cases (the 260 Register plus Murgatroyd) there are several occasions when the lack of academic curiosity and, one must assume, the limitations of the peer review process results in certain interesting questions being unaddressed and unresolved; with some either (worryingly) unidentified or (disturbingly) ignored – the latter perhaps for convenient reasons.

The M.A. attempted to continue this analytical process by way of parallel work on the R.S.P.B. satellite data, thereby producing a 'full set' of truly comprehensive information.

The R.S.P.B. set great store by Ewing (published April 2023) which appears largely to be a reinforcement (colloquially – a 'pile-on') of Murgatroyd, albeit using R.S.P.B. data not available to Murgatroyd.

Ironically – and without cogent reasoning – Ewing (Page 9 – right hand column – 'Data Availability') confirms that the data used therein is confidential – quite!

Which is precisely the situation which confronted the M.A. when a data request was made to the R.S.P.B. (30<sup>th</sup> July 2025) which, doubtless following sage evaluation, the R.S.P.B. flatly declined (8<sup>th</sup> August 2025) in order '*to protect the integrity of our data so that we can achieve the best outcomes to help protect such endangered species*' – which the M.A. assumes means they fear close scrutiny by a third party.

The refusal results in some 250 plus (we believe – we cannot be certain) sets of harrier tracking data being excluded from the debate; only available for deployment at the whim of the R.S.P.B. for opportune publication, most likely in a carefully selected and curated fashion.

The July 2025 report, therefore, starts with significant disadvantages in the view of the M. A. for the following reasons;

**FIRST:** the manner in which I.C. appeared to recoil from a position of being interested in the receipt of information to one of countenancing only material which has been peer reviewed is absurd – doubly so when one considers that:

- The July 2025 report was not peer reviewed, rather it is a draft which will, it is assumed, be agreed and published by the Steering Group with no third-party involvement. The reasons for the avoidance of any peer review can only be speculated upon. A reluctance to have the report rigorously analysed might be a potential suspect, thereby avoiding any uncomfortable collision with reality.
- The near total obeisance to the R.S.P.B.'s (so called) crime reports and data therein as the baseline for all conclusions. Again a publication produced by a totally partial actor, with no data available for third party scrutiny (q.v.) and one which utilises near pantomime policeman methods.

**SECOND:** the inescapable suspicion that the subject has not been carefully considered by the Steering Group as, should it have been so, the July 2025 report simply could not have been drafted in current form without caveats and / or demurrals.

**THIRD:** for what reason would an author or promoter of such a publication not wish for more and better information? One is forced to consider that a fear of the receipt of various data that does not run in line with the overall themes and stance of the July 2025 report may very well be the actual reason.

## EXPLANATION OF THE COMMENTARY FORMAT:

- **FIRST – THE YELLOW SHADING**

It was made clear by I.C. that the July 2025 report should not ‘*contain anything subjective or expression of any particular opinion*’ – see e-mail number 4 – from I.C.

Accordingly, a definition of subjective is first required – therefore see the Concise Oxford Dictionary – Fifth edition – page 1285 – ‘SUBJECTIVE’ – variously defined as – *imaginary – and – giving prominence to or depending on personal idiosyncrasy or individual point of view – and – not producing the effect of literal or impartial transcription of external realities*’.

In response, this submission identifies areas within the July 2025 report which, in the opinion of the M.A., are either subjective or an expression of a particular opinion.

These areas are marked with a **YELLOW highlight** in the July 2025 report which is attached.

- **SECOND – THE GREEN SHADING**

At certain points, it is clear that it would be advantageous of the Y.D.B.P.P. to learn of the detail which the M.A. has extracted from their compilation and study of the 260 Register – these areas are marked with a **GREEN highlight** in the July 2025 report – and are included in their own section.

- **THIRD – THE PINK SHADING**

Similarly, at further junctures it is clear that it would be advantageous of the Y.D.B.P.P. to learn of the detail which the M.A. has extracted from their compilation and study of Murgatroyd – these areas are marked with a **PINK highlight** in the July 2025 report – and are included in their own section.

- **FOURTH – THE BLUE SHADING**

In view of the near total reliance within the July 2025 report upon the R.S.P.B. Crime Report for 2023 (published 23<sup>rd</sup> October 2024) the M.A. believe it would be helpful for there to be some observations included which have arisen from the M.A.’s scrutiny of that publication – these areas are marked with a **BLUE highlight** in the July 2025 report – and are included in their own section.

# THE COMMENTARY NOW RUNS PAGE TO PAGE WITH SPECIAL COMMENTS APPEARING WITHIN THEIR OWN SECTIONS:

## FRONT PAGE:

1. It is somewhat misleading to imply / suggest that the July 2025 report deals with birds of prey in a thorough manner, considering:
  - Pages 7 and 8 – 6 species – and no real information.
  - Pages 9 / 10 / 11 / 12 / 13 / 14 – 1 species – the hen harrier!
  - Pages 15 / 16 / 17 / 18 / 19 / 20 – 15 species – and no real information.
  - The July 2025 report is about harriers in reality.

## CONTENTS – Page 2:

1. Why use the word ‘persecution’ – this is not only pejorative but also inappropriate – referring to the Concise Oxford Dictionary (q.v.) – page 906 – PERSECUTE – variously defined as – *pursue with enmity and injury (especially holder of opinion held to be heretical)* – *harass* – *worry (person with questions etc.)*. As such it is clearly a verb for use in situations involving human differences and has no applicability to wildlife matters. Regrettably this sets the tone of partiality within the July 2025 report.

## THE EXECUTIVE SUMMARY – Page 3:

1. The use of ‘illegal persecution of birds etc.’ again confirms the approach – this point is highlighted in **YELLOW** throughout – in its various forms – but will not be commented upon further as the point is now made.
2. Second and third paragraphs ‘minimal systematic monitoring’ – in short, the study is abbreviated at best and strictly limited in scope!
3. And the group is only interested in harriers – the serial numbers (that is the satellite tag identification numbers in # 123456 format) of the two ‘M.F.U.’ birds are detailed later within the **GREEN** section of this submission.
4. The R.S.P.B. ‘2023 BIRD CRIME REPORT’ – was actually published on 23<sup>rd</sup> October 2024 – that is the latest edition – see the **BLUE** section of this submission.
5. Tags ‘tampered with’ what does this mean? – and ‘sudden stop’ – what is this defined as? – see the **BLUE** section of this submission.

## **THE INTRODUCTION – Pages 4 and 5:**

1. Page 4 – paragraph 5 – see... *‘the aim has been to provide the best available information etc.’* – if that were the case the Y.D.B.P.P. could have produced an accurate report (with O.S. six figure references and commentary) on each incident rather than simply relying on the R.S.P.B. – how can there be an accurate report without accurate data?
2. *‘Many of the organisations represented on the partnership undertake survey and monitoring work and can provide relevant information’* – which is not peer reviewed but for reasons best known to I.C. is considered superior to any facts submitted by the M.A.
3. Page 4 and to page 5 – *‘publication of new updated management plans for 2025 – 2030’* – what are these and what do Y.D.B.P.P. expect them to achieve? In the light of the subsequent announcement this appears to be redundant.

## **DATA COLLECTION METHODOLOGY AND SOURCES – Pages 5 and 6:**

1. *‘The sensitivities of publishing fine scale locations etc.’* – Y.B.P.P. should not hide behind this – considering N. E. publish their hen harrier updates with the O.S. six figure references – what does the Y.D.B.P.P. know that N. E. does not?
2. Page 6 – where is the R.S.P.B. information / report? – and is this available for the members to review? The R.S.P.B. will not release data (q.v.) therefore, how can it be verified?

## **SPECIES ACCOUNTS: Pages 7 to 20**

- Pages 7 and 8 – 6 species – and no real information.
- Pages 9 / 10 / 11 / 12 / 13 / 14 – 1 species – all harrier!
- Page 9 – has the Y.D.B.P.P. studied the graph demonstrating the ‘peaks and troughs’ in the success of harriers over the long term? Presently we may be entering a trough – see attachments – Graphs ONE and TWO.
- Page 9 – why imply that grouse moors in the North Pennines and the Dales are solely responsible – implying they are the problem zones due to driven grouse shooting – when in reality there are grouse moors in Bowland – in Cumbria – in Durham – in Northumberland – throughout – so why not pick up the weather and prey abundance points – the latter comments concerning regional differences made by Stephanie Bird-Halton were controversial at the time and disputed by the M.A.
- Page 9 – the Y.D.B.P.P. on the one hand explain they are short of resources whilst on the other state, without caveat, that there were no nesting attempts in the entire Y.D.N.P. during 2024 – how can they be certain? The M.A. have come to understand

that there is a gathering reluctance from many estates to report nests due to the aggressive and unpleasant interventions such disclosures can invite.

- Page 11 – paragraph 5 – John Holmes is not part of N. E. Licensing – and as chairman of the Hen Harrier Brood Management Trial is excluded from conferring with N. E. licensing – he is not aware of the detail of negotiation between the M.A. and N.E. Licensing and the reasons for the refusal of the September 2024 application.
- Is the Y.D.B.P.P. aware of:
  - a. The S.P.A. sub-categorisation point?
  - b. The need for semi-permanent receptor sites within or without the S.P.A.s which is a crucial issue?
  - c. The satellite tagging issue – all birds within a brood or two birds per brood or no tagging?
  - d. The issues over ‘reinforcement’ versus ‘reintroduction’ and the significance thereof.
  - e. The H.R.A. question – is one actually needed? – when considered in conjunction with the ‘*favourable conservation status*’ of the S.P.A.s?
  - f. The disagreements concerning the M.A.’s suggested project aims plus suggested monitoring plans plus suggested evaluation plans.
  - g. Page 11 – the Whernside incident – yes – but does the Y.D.B.P.P. know that Whernside has been a constantly successful nesting area – in 2023 there were 5 nests – a great success – why not mention that this incident was out of character for that location?
  - h. Page 11 – the Mallerstang bird – yes – but will someone explain how a human can walk up to an adult harrier – the bird was not reported as having been shot – and take it in their hands and kill it? – and why would they then leave it with a tag affixed for the world to see? – all carefully pointed towards the sun to optimise solar charging – this theory did not then, and does not now, make sense as an explanation – a natural death followed by scavenging is far more plausible.
- Pages 15 / 16 / 17 / 18 / 19 / 20 – 15 species – and no real information.

#### **OVERVIEW – 2020-2024: Pages 12 and 13**

- The totals of satellite tags deployed are confusing – there is a typographical error (2020 should read 2022) – the correct numbers are:
  - 2020 – tags fitted = 23
  - 2021 – tags fitted = 17
  - 2022 – tags fitted = 18

- 2023 – tags fitted = 17
- 2024 – tags fitted = 8
- Page 14 – Table 2 is discussed within the **GREEN** section of this submission.
- Pages 15 / 16 / 17 / 18 / 19 / 20 – 15 species and no real information.

#### PERSECUTION DATA: Page 21:

1. Paragraph one – data up to 2015 – which is ten years out of date – and hardly a reflection of the recent successes! The process by which ‘incidents’ are reported is deeply flawed – the reports should either be used by the police – promptly – or reported as ‘false alarms’ – also promptly.
2. Paragraph two – to deliver the Management Plan it might be useful to try and understand the problem in the round – *‘the wider issues’* – rather than a one-sided approach concentrating on ‘offences’. Were such bodies as the Y.D.B.P.P. to take an interest in the running of grouse moors, if they tried to interact with moorland managers and gamekeepers they might be able to help in resolving issues rather than simply reacting.
3. Paragraph three – this matter is discussed within the **BLUE** section of this submission.
4. *‘Confirmed raptor persecution incident – where circumstances indicate that an illegal act against a wild bird of prey has taken place’* – this is highly subjective and certainly includes opinion. Should postmortem evidence be to hand they can be confirmed, in all other cases they rely on anecdote and hearsay unless actually recorded on camera. As such there is a direct conflict, with the detractors of driven grouse shooting being most eager and strongly motivated to classify ‘incidents’ as ‘confirmed’ – when they are neither.

#### R.S.P.B. BIRD CRIME INFORMATION INCLUDED.....ETC: – Pages: 22 / 23 / 24 / 25

- This is discussed within the **BLUE** section of this submission.
- Page 26 – this is obviously subjective and extremely unhelpful in situations involving wildlife conflict – as is covered in the **GREEN** section – there are numerous reasons for a satellite tag to cease transmitting – sadly the Y.D.B.P.P. only considers one – despite the cautions expressed by N.E. – and also ignores the fact that harriers are most likely to be lost in the habitats they frequent – moorlands!

## **2020 – 2024 OVERVIEW – Pages 26 and 27**

- **The comment concerning the incineration of birds which have been tested for H.P.A.I. beggars belief in its absurd partiality and subjectivity. Has the author not considered the obvious scenarios being:**
  - a. **If the bird does not test positive for H.P.A.I. and is incinerated rather than being examined further – then;**
  - b. **Whilst it could have been the subject of illegal killing – however;**
  - c. **It is also quite possible that it could have died of natural causes.**
  - d. **The caution concerning comparability is reasonable, but the implications are not balanced – why does the report not state that a quantity of birds collected for H.P.A.I. testing were incinerated without further testing therefore no further cause of death could be established?**
  - e. **A very similar biased approach has been adopted by N.E. in their instructions to the Zoological Society of London when carrying out postmortems – and the M.A. complained to them (E-mail to James Wylor-Owen – N.E. – 24<sup>th</sup> June 2025) in unequivocal terms.**

## **OVERVIEW: – Pages 27 and 28**

1. **This is a most useful pointer to one of the real difficulties which from which the July 2025 suffers – significantly. There is no comprehensive, robust and thorough monitoring – of any species.**
2. **The M.A. is inevitably drawn to the conclusion that the greatest efforts are directed towards the harrier, however these are similarly a patchwork of dubious worth. Doubtless the contributors are, however, more enthusiastic to be involved with a crusade against driven grouse shooting and see the harrier as their opportunity for recruitment thereon.**

## **ACKNOWLEDGEMENTS – Page: 28**

1. **It is noticeable that the Y.D.B.P.P. on the one hand thanks no less than five named individuals of whom it might be reasonably inferred share an antipathy towards driven grouse shooting, whilst, on the other, totally ignore the moorland managers and gamekeepers (with numerous doubtless being members of Steering Group organisations) who also supply information.**

## **REFERENCES – Pages: 28 and 29**

1. **B.B.C. report on the Grassington incident – no facts are available as the matter is sub judice.**

2. The Stephanie Bird-Halton 'blog' was much criticised by the M.A. directly with Ms. Bird-Halton at the draft stage – with the M.A.'s comments mostly being ignored – in the view of the M.A. the 'blog' is clumsy and misleading.
3. John Holmes – Conclusions of hen harrier brood management etc. – this conclusion is an interim and the final has not yet been agreed with the Hen Harrier Brood Management Trial Board – therefore representing this as a final word is misleading.
4. R.S.P.B. reports – various – is discussed within the **BLUE** section of this submission.

#### APPENDIX 1 – Pages: 30 and 31

1. No comments

#### APPENDIX 2 – Pages: 32 / 33 / 34 / 35

1. See – REFERENCES – number 3 above.

#### SECOND – **THE GREEN SHADING**

At certain points, it is clear that it would be advantageous of the Y.D.B.P.P. to learn of the detail which the M.A. has extracted from their compilation and study of the 260 Register – these areas are marked **with a GREEN highlight** in the July 2025 report – and are included in their own section.

- Page 11 – M.F.U. – so birds that have a failed transmitter are M.F.U. – despite having been sighted subsequently – this is highly misleading!
- Page 12 – final transmission locations – there are several ways by which a tag fails – solar panel fouling – abrasion of the solar panel /unit / antenna – proximity of the bird to a substantial geographic feature such a cliff – proximity to another transmitter – antenna in contact with the ground – harness failure – deep vegetation – noting that Microwave Telemetry Inc. (Russell Howey) confirmed the above factors to the M.A. (May 2024) and further confirmed that a tag will normally last for 3,000 cycles or three years only – as such multi-year reliability is not assured.
- The Y.D.B.P.P. must appreciate that should a bird die (for whatever reason) if it does not come to rest on open ground with breast down and thereby in a position with the tag upwards and orientated south with clear sunlight availability – IT WILL NEVER TRANSMIT AGAIN – even N.E. admit this – see page 12!
- Also note the M.A. work on the proximity of woodland issue – using all entries from 2002 to 2024 – a total of 260 (which does not include R.S.P.B. birds as they would not disclose their data to the M.A.) they demonstrate that:

- a. There are 105 final transmission locations within 3 kms. (1.8 miles) of a significant block of woodland.
- b. There are 34 final transmission locations within 5 kms. (3 miles) of a significant block of woodland
- c. Thus a combined total of 139 entries – which is 53% (of 260)
- d. A significant block of woodland is defined as being either a contiguous block or a closely associated area of 1 square kilometre (100 hectares – 247 acres) – or more.
- e. Do the Y.D.B.P.P. know that 27 birds have disappeared in the M74 to Kielder Forest belt – that is ex 260 (2002 to 2024) = 10.38 % of ALL tagged birds!
- f. Page 14 – #213923 was on West Arkengarthdale – note that bird was only 11 months old;
- g. And – # 213928 was near Angram reservoir upper Nidderdale – note that bird was only 10 months old;
- h. Each bird had only a 40% chance of reaching 12 months – a factor repeatedly ignored by opponents despite being well documented from studies on Orkney.
- i. Final transmission locations for the 260 Register – using O.S. six figure references:

**GREEN 1 = On land un-associated with a driven grouse moor = 80 = 30.77%**

**GREEN 2 = Recovered – death proven as being from natural causes = 30 = 11.54%**

**RED 1 = On land used for driven grouse shooting = 95 = 36.54%**

**RED 2 = Recovered – death ‘proven’ as being from illegal killing = 5 = 1.92%**

**ORANGE 1 = Inconclusive = 33 = 12.69%**

**ORANGE 2 = Inconclusive – bird observed after date of final transmission = 10 = 3.84%**

**BLUE – Transmitting as of 25<sup>th</sup> April 2025 = 7 = 2.69%**

**APPORTION ORANGE 1/2 = 43 AS 50% TO – GREEN (21.5) – AND – 50% TO – RED (21.5)**

**THEN ADD BLUE (7) TO GREEN**

**WHICH GIVES A FINAL TOTAL OF:**

**GREEN = 138.5 = 53.27%      RED = 121.5 = 46.73%**

**AND WERE ORANGE 2 = Inconclusive (10) TO BE ALLOCATED ONLY**

**TO GREEN – TOTAL INCREASES TO 143.5 = 55.19%**

**WHILST RED DECREASES TO 116.5 = 44.80%**

### **THIRD – THE PINK SHADING**

Similarly, at further junctures it is clear that it would be advantageous of the Y.D.B.P.P. to learn of the detail which the M.A. has extracted from their compilation and study of Murgatroyd – these areas are marked with a PINK highlight in the July 2025 report – and are included in their own section.

There are various questions and observations which the M.A. have in respect of Murgatroyd:

- Murgatroyd does not fully deal with the mortality question – especially the first 12 months – the reference in Murgatroyd to enhanced survival on Orkney is disingenuous as it does not explain that there are no badgers, foxes, weasels and, at that time, there were no stoats on Orkney – the absence of grouse shooting is not the sole factor. Her colleague Prof. Amar (whom the M.A. believe to have been a former R.S.P.B. employee) made that ‘slip’ despite the fact the M.A. understands that he worked on Orkney survival data, thus must have been aware.
- Interestingly there were two papers to be prepared by Murgatroyd – the first with the data analysis (q.v.) and a second on demographics / populations etc. The second was not delivered – perhaps because the first report ‘filled the required slot’.
- Are the Y.D.B.P.P. aware of the first-year mortality of approximately 60% and the second and continuing annual mortality of some 25% – this results in a cohort of 10 birds being reduced to 4 after the first year and after the second year being reduced to 3 – and by the end of year fifth year to 1.25 only.
- The Y.D.B.P.P. should also note that Murgatroyd:
  - a. Started with 60 birds – reduced to 58 as two tags failed immediately – overall 6 tags were known failures – 10% of the study!
  - b. The sex ratio of males (35%) to females (65%) was atypical – the M.A. brood management tagged birds were all the birds in each nest rather than a selection to suit N.E. and spread their resources – the M. A. ratio was males (54%) and females (46%) – so why did Murgatroyd build in an anomaly?
  - c. Murgatroyd took 27% of their birds from Bowland – and 29% from Langholm and 7% from the Isle of Man – total 63% – leaving only 37% for the entire remaining territorial areas within the U.K. – hardly a typical sample. Were behaviour to have been atypical within Bowland for example – then the entire U.K. would be treated as similar.
  - d. Murgatroyd has little to say about the near total failure rate of the Isle of Man birds – a phenomena that was surely worthy of investigation – do the Y.D.B.P.P. have a view on that subject?

- e. Final transmission locations for Murgatroyd – using O.S. six figure references:
- **GREEN = On land un-associated with a driven grouse moor or confirmed as being by natural causes = 46.5%**
  - **RED = On driven grouse moor = 36.9 %**
  - **BLUE = Transmitting = 7%**
  - **ORANGE = The balance = 9.6% are – WITHHELD – therefore no information**
  - Therefore = 53.5 % – are **GREEN** – OR – **BLUE**
  - Total = 100%

#### **FOURTH – THE BLUE SHADING**

In view of the near total reliance within the July 2025 report upon the R.S.P.B. Crime Report for 2023 (published 23<sup>rd</sup> October 2024) the M.A. believe it would be helpful for there to be some observations included which have arisen from the M.A.'s scrutiny of that publication – these areas are marked **with a BLUE highlight** in the July 2025 report – and are included in their own section.

#### **R.S.P.B. BIRD CRIME INFORMATION INCLUDED.....ETC. – Pages 22 to 27:**

1. Page 22 – there is no independent analysis of the data and the R.S.P.B. are not independent as they are an openly hostile actor / party / source.
2. Page 23 – ‘tags had been tampered with and so must have been due to human interference’ – what does this mean? – and how do they know? – were the tags recovered and checked by Microwave Telemetry Inc?
3. Page 23 – yet again ‘tagged (sic), sudden stop, no malfunction’ – see earlier (**GREEN** – page 12), there are numerous reasons why a tag might malfunction and cease transmissions – and with a 60% natural mortality rate within the first 12 months this could explain a high proportion of such occurrences.
4. Page 24 – what is a ‘tag sudden stop and tag reset’ – what does this mean – have Microwave Telemetry Inc. advised on this?
5. Page 24 – note the near useless 10 kilometre square mapping – thus 100 square kilometres (10,000 hectares – 24,700 acres – 38.59 square miles) with an hypotenuse of 14.14 kilometres (8.78 miles) as such far too large an area to be assessed. As commented above – N.E. use O.S. six figure 100 metre references!
6. Page 24 – NZ 10 = Richmond and A66 area – buzzard – appears to be genuinely confirmed.

7. Page 24 – SD89 = Mosssdale and Cotterdale area (38.59 square miles) – the M.A. cannot comment further on the location as there is no O.S. six figure reference – and the R.S.P.B. will not release data (q.v.).
8. Page 24 – NY80 is upper Swaledale area (38.59 square miles) – the M.A. cannot comment further on the location as there is no O.S. six figure reference – and the R.S.P.B. will not release data (q.v.).
9. Page 24 – in connection with the above – once again – what is the Microwave Telemetry Inc. definition of – ‘tagged, sudden stop, no malfunction, tag reset’ ?
10. Page 25 – usual ‘*Probable and Unconfirmed*’ – 3 listed as ‘*Probable*’ and 2 listed as ‘*Unconfirmed*’ – what does this actually mean? There is no evidence other than the fact that the satellite tags ceased transmitting – which, in view of the numerous factors, is nothing more than tenuous at best (q.v. various above). All continue to be reported against 38.59 square mile references (q.,v.)
11. Page 25 – NY 80 – Upper Swaledale – ‘Probable,
12. Page 25 – SD 89 – Mosssdale and Cotterdale – ‘Probable’
13. Page 25 – NY 91 – Bowes and Lartington A66 – ‘Probable’
14. Page 25 – SD 89 – Mosssdale and Cotterdale – ‘Unconfirmed’
15. Page 25 – SD 77 – Ingleton – ‘Unconfirmed’
16. Page 26 – where do harriers live? – so they will usually also be lost in the same vicinity – whatever the reason!

## **FINAL NOTE CONCERNING THE R.S.P.B. BIRD CRIME REPORTS**

The comments above give a flavour of the concerns which the M.A. have in regard to the R.S.P.B. Bird Crime Reports and the methodologies which inform them.

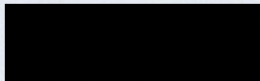
The M.A. will shortly (December 2025) be finalising commentaries on both the 2022 (published 24<sup>th</sup> November 2023) and 2023 (published 23<sup>rd</sup> October 2024) Bird Crime Reports in and will follow with a further commentary on the 2024 edition which it is anticipated will be published late 2025.

As such, it is pointless to repeat at great length the various issues and observations which cause concern within these publications at this juncture.

## E-MAIL NUMBER ONE

**From:** Ian Court <[ian.court@yorkshiredales.org.uk](mailto:ian.court@yorkshiredales.org.uk)>  
**Sent:** 11 August 2025 17:10  
**To:** Andrew Gilruth <[agilruth@moorlandassociation.org](mailto:agilruth@moorlandassociation.org)>  
**Subject:** Contact Details

Andrew,

 Partnership meeting last week, please could you send me the contact details of [redacted] I can contact him about additional data.

Many thanks



Ian Court  
Senior Wildlife Conservation Officer (acting)

Direct line: 01756 751602  
Mobile: 07771 942045  
Switchboard: 0300 456 0030

[www.yorkshiredales.org.uk](http://www.yorkshiredales.org.uk)



Yorkshire Dales National Park Authority  
Colvend | Hebden Road | Grassington  
Skipton | North Yorkshire | BD23 5LB

## E-MAIL NUMBER TWO

**From:** Andrew Gilruth <[agilruth@moorlandassociation.org](mailto:agilruth@moorlandassociation.org)>

**Sent:** 11 August 2025 17:34  
[REDACTED]

**Cc:** [Ian.Court@yorkshiredales.org.uk](mailto:Ian.Court@yorkshiredales.org.uk)

**Subject:** FW: Contact Details  
[REDACTED]

At last week's BoP meeting I mentioned your recent analysis of all 260 hen harrier tags. Some of that should probably be in the report.

Ian has done well to get the report to where it is. I feel you can help him to ensure commentary around numbers and tables used etc reflect a range a views.

Might I leave the two of you to discuss the art of the possible please.

If a chat would be helpful, do let me know.

Best wishes

Andrew

## E-MAIL NUMBER THREE

[REDACTED]  
**Sent:** 12 August 2025 08:56  
**To:** Ian Court <[Ian.Court@yorkshiredales.org.uk](mailto:Ian.Court@yorkshiredales.org.uk)>  
**Cc:** [agilruth@moorlandassociation.org](mailto:agilruth@moorlandassociation.org)  
**Subject:** Possible meeting

You don't often get emails from [REDACTED] [Learn why this is important](#)

**CAUTION:** This email originated from outside of the authority. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr. Court,

My contact details are as shown.

I am not far from Grassington, if you wish to meet, I await hearing from you.

Yours sincerely,  
[REDACTED]  
[REDACTED]

## E-MAIL NUMBER FOUR

**From:** Ian Court <[Ian.Court@yorkshiredales.org.uk](mailto:Ian.Court@yorkshiredales.org.uk)>

**Sent:** 13 August 2025 10:37

**Subject:** RE: Possible meeting

Thanks for getting in touch. The evidence report that is produced is intended to provide the factual information on the status of birds of prey in the YDNP and Nidderdale NL. Details of the previous report and information can be found [here](#) for your information. Whilst we look to include as much data as possible, it has previously been agreed with all stakeholders that the report *should not contain anything subjective or expression of any particular opinion*. There are, of course, wide ranging opinions on the issues and it has always been the intention that these would be discussed at the stakeholder meetings but not included in this report.

I'm not clear what information might be available but if you do have any published reports or *peer reviewed papers* that provide information that could potentially be included in the report then these would be very gratefully received.

If you need any further information, please do not hesitate to get in touch.

Many thanks



Ian Court  
Senior Wildlife Conservation Officer (acting)

Direct line: 01756 751602  
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Skipton | North Yorkshire | BD23 5LB

## E-MAIL NUMBER FIVE

[REDACTED]  
**Sent:** 13 August 2025 11:20  
**To:** Ian Court <[Ian.Court@yorkshiredales.org.uk](mailto:Ian.Court@yorkshiredales.org.uk)>  
**Subject:** Possible meeting

You don't often get emails from [REDACTED] [Learn why this is important](#)

**CAUTION:** This email originated from outside of the authority. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr. Court,

I am somewhat confused by the contents of your e-mail (13<sup>th</sup> August) below.

It was my understanding that you would welcome a discussion in order to understand our work; your e-mail (11<sup>th</sup> August) appears to suggest that.

You state that the stakeholders agreed that your report (was it peer reviewed?) .... '*Should not contain anything subjective or expression of any particular opinion*'.... In which case the Y.D.B.P.P. reliance on the R.S.P.B. bird 'crime' statistics (produced wholly in-house and not available for peer review – our request to the R.S.P.B. for their data was refused – 8<sup>th</sup> August 2024) is rather contradictory.

Our careful analysis has revealed several interesting facts from within the publicly available data; however, if you are not interested there is nothing more for me to say.

I am surprised that your steering group are so opposed to learning more!

Should they change their minds, I am available.

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

## E-MAIL NUMBER SIX

**From:** Ian Court <Ian.Court@yorkshiredales.org.uk>

**Subject:** RE: Possible meeting

I was informed at the partnership meeting that you had some information that was relevant to the evidence report, and so I was just asking whether you would be able to send over any published documents that were available. Any statements that are used within the report will need to be referenced.

Given that there are very different opinions on the issues and contradictory published information is available from different organisations, as you have not been part of the process, I was just highlighting that the partnership had previously agreed not to use anything that may be considered subjective.

Previous Evidence Reports have not been peer-reviewed but have been agreed and 'signed off' by all the stakeholders on the partnership.

The rationale for inclusion of the confirmed incidents in the BirdCrime report are detailed in the previous and current draft reports, having been agreed by the partnership. All the confirmed incidents listed in 2022 in our last report have been verified by the police.

Are you able to send details of the analysis and facts that you have mentioned below to look at as it may be that further discussion is not required.

Many thanks



Ian Court  
Senior Wildlife Conservation Officer (acting)

Direct line: 01756 751602  
Mobile: 07771 942045  
Switchboard: 0300 456 0030

[www.yorkshiredales.org.uk](http://www.yorkshiredales.org.uk)



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**GRAPHS ONE AND TWO**

