



The Moorland Association

Marian Spain
Chief Executive
Natural England
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Paul Kissack
Defra
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10 April 2026

Dear Marian Spain and Paul Kissack,

Subject: Follow-up to our letter of 18 February 2026 concerning NEER155 and the evidential basis for public assurances of “rigorous peer review”

We write further to our letter of 18 February 2026 concerning Natural England Evidence Review NEER155 and the basis on which it has been publicly described as having undergone “rigorous peer review”. This follow-up does not restate the full case set out in that letter, which remains live. It addresses material additional points arising from Natural England’s internal review response dated 9 April 2026 in relation to EIR2026/00223 / IR2025/01669. In our view, those additional points materially worsen the original assurance problem and require clarification from both Natural England and Defra. For ease of reference, we attach Natural England’s internal review response dated 9 April 2026, on which this follow-up letter relies.

New points arising from the 9 April internal review

First, Natural England now states that the two senior officers involved in the 2024 peer review process have left the organisation, and that access to their historic emails, including emails showing which drafts were subject to peer review, is “no longer available” and is therefore treated as not held. It also states that the correspondence previously disclosed consists only of material specifically archived or copied to others.

Second, Natural England now says that, because those officers have left, it is unable to confirm which drafts were circulated to each person or provide a complete email trail indicating expectations, acceptance, resolution and closure from each of the peer-reviewers. That is a significant new admission. The issue is no longer simply whether the retained record looked sparse. Natural England is now expressly saying that it cannot evidence the full review trail.

Third, the internal review introduces a new reliance on Regulation 12(4)(d) in respect of unfinished documents and draft versions, including tracked-change and annotated draft versions of NEER155. It

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states that some external reviewers provided comments in that form, but that these materials are now being withheld as material in the course of completion. Annex A further states that these draft versions were “archived as unfinished versions” and that there was “no intention to complete them.”

In addition, those tracked-change and annotated drafts may have substantial evidential value in showing what external comments were made, how those comments were considered and addressed, and whether the public assurance of “rigorous peer review” can in fact be substantiated on the retained record. Given that NEER155 is complete, published and being relied upon in live policy and regulatory contexts, we ask Natural England to explain expressly whether that evidential value was taken into account before reliance was placed on Regulation 12(4)(d), and if so on what basis it was nonetheless concluded that withholding remained justified.

Why these new admissions matter

These three new admissions matter because they sharpen the central issue identified in our 18 February letter. That earlier letter pointed to an apparent mismatch between the public assurance of “rigorous peer review” and the absence of the usual documentary artefacts such as a brief, scope definition, structured response record, and formal completion/sign-off record. The internal review now goes further: it suggests that some relevant records once existed or may have existed, but are either no longer available, cannot now be fully reconstructed, or are being withheld under a different exception.

That matters because NEER155 is not an abstract academic exercise: it is being relied upon in decisions that affect land managers, agri-environment arrangements, regulatory expectations and the day-to-day management of upland businesses.

In our view, that materially changes the question. The issue is no longer simply whether the original disclosure appeared incomplete, but whether the public assurance of “rigorous peer review” can still properly and responsibly be maintained on the retained record. That is particularly so because Natural England now says the historic email record of the two officers who oversaw the process is no longer available, that it cannot provide a complete reviewer trail, and that further review artefacts exist in tracked-change and annotated form but are being withheld.

Reliance on “unnecessary external pressures”

We are also concerned by Natural England’s reliance, in Annex A, on the “potential for unnecessary external pressures” as a factor favouring withholding. Public, scientific, stakeholder, Parliamentary and legal scrutiny are ordinary and legitimate consequences of transparency, particularly where an evidence review is being relied upon in regulatory and ministerial contexts. If Natural England says there is some more specific harm than ordinary external scrutiny, it should identify it precisely. A vague concern about outside criticism or pressure is not, in itself, a proper basis for resisting scrutiny of the review trail.

In those circumstances, this is not simply a records issue but an accountability issue bearing directly on the legitimacy of continued reliance on NEER155 as having undergone “rigorous peer review”.

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Points requiring response

Against that background, we should be grateful if Natural England and Defra would address the following limited points.

1. Can the public description “rigorous peer review” still be maintained?

Please confirm whether, in light of the 9 April 2026 internal review response, Natural England and Defra continue to consider that the description “rigorous peer review” is substantiated on the retained record. If so, please identify the retained records that now substantiate that description. If not, please explain what corrective action will be taken, by whom, and on what timescale, including in relation to prior and future public, ministerial, Parliamentary, regulatory or legal descriptions of NEER I55.

2. Records now said to be unavailable

Please explain the basis on which the historic emails of the two senior officers became “no longer available”, including whether those records once contained information in scope, what retention, deletion or access rules apply, when access ceased, and whether archived copies, backups, restored mailboxes, journal records or administrator access options were considered. Please also confirm whether Natural England’s position is that these records were (a) never created, (b) created but not retained, (c) retained and subsequently deleted, (d) remain extant but inaccessible, or (e) were transferred to another system or custodian and are no longer accessible through ordinary mailbox access.

3. The new reliance on Regulation 12(4)(d)

Please explain how archived tracked-change and annotated drafts of a completed and published report can properly be characterised as material in the course of completion, particularly where Natural England says there was no intention to complete those versions. Please also confirm whether those materials evidence the external comments made and how those comments were considered and addressed. Lastly, whether that evidential value was taken into account before reliance was placed on Regulation 12(4)(d).

4. “Unnecessary external pressures”

Please identify the specific harm Natural England says is captured by the phrase “potential for unnecessary external pressures”. Public, scientific, stakeholder and Parliamentary scrutiny are ordinary and legitimate consequences of transparency, particularly where a completed and published evidence review is being relied upon in ministerial, Parliamentary, regulatory and legal contexts. They are not, without more, a sufficient basis for resisting scrutiny of the review trail. If Natural England contends that disclosure would cause some more specific harm than ordinary external scrutiny, criticism or controversy, please identify that harm precisely and explain why it is said to outweigh the public interest in transparency.

5. Consequences for public assurance

Please confirm whether Defra continues to rely on the description “rigorous peer review” in relation to NEER I55 in ministerial, Parliamentary, regulatory or legal contexts. If so, please identify the documentary basis on which Defra considers that description substantiated. If not, please explain what corrective action Defra will take, by whom, and on what timescale.

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As before, we are not suggesting that no external expert input occurred. The narrower issue is whether the stronger public assurance attached to NEER155 can still properly and responsibly be maintained given Natural England's new admissions in its internal review response.

Those affected by decisions informed by NEER155 are entitled to know whether the assurance repeatedly attached to it can in fact be evidenced.

For the avoidance of doubt, nothing in this follow-up withdraws, narrows or supersedes the concerns and requests set out in our letter of 18 February 2026. Those points remain live, and we should therefore be grateful for a substantive response addressing both the outstanding points in our letter of 18 February 2026 and the additional points set out above.

We would be grateful for a substantive written response within 20 working days.

Yours sincerely,

Andrew Gilruth

Chief Executive

Moorland Association

agilruth@moorlandassociation.org

Cc:

- 1) Mary Creagh CBE MP, Parliamentary Under-Secretary of State (Minister for Nature), Department for Environment, Food and Rural Affairs.
- 2) Professor Anjali Goswami, Chief Scientific Adviser, Department for Environment, Food and Rural Affairs.

Attachments:

- 1) Natural England Internal Review, 9 April 2026.
- 2) Moorland Association letter to Defra and Natural England, 18 February 2026.

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Attachment I - to MA letter dated 10 April 2026

09 April 2026



Foss House
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Mr A Gilruth
agilruth@moorlandassociation.org

Dear Mr Gilruth

Access to Information Request – Internal Review - IR2025/01669

Thank you for your email dated 9 February 2026, asking for an internal review of Natural England's handling of your request for information, EIR2026/00223 under the Environmental Information Regulations 2004 (the EIRs).

Process

In accordance with Natural England's internal review procedures, your request has been reviewed by a senior officer who was not involved in the original decision and in discussion with colleagues who handled your original request. Your points for review have been considered as well as the public interest arguments for and against disclosure.

Original Request

The original request can be found in Annex B.

Natural England Response

The original response is in Annex C.

Points for Review

1. Application of Regulation 12(4)(a)

On review of the documents released to you, and in discussion with the relevant team, I can confirm that Natural England does not hold any further information in scope of your request. As previously stated, there was no formal peer review framework or instructions produced. There was an expectation that the expert reviewers knew of what a scientific review involved, and it was not considered necessary to create a formal framework.

Regarding informal correspondence with the external reviewers, the two Natural England senior officers involved in the 2024 peer review process have since left the organisation. Access to their historic emails, including which drafts were subject to peer review, is no longer available and therefore not held by Natural England. The correspondence previously released to you are those that were either specifically archived or where other officers were copied into the original correspondence. Regulation 12(4)(a) information not held, was applied correctly and continues to apply.

2. Identify and disclose informal records within scope

As stated above we have already released to you the email correspondence held by Natural England in relation to the external peer review. Given that the two key senior officers have left the organisation, we are unable to confirm which drafts were circulated to each person or provide a

complete email trail indicating: expectations, acceptance, resolution and closure from each of the peer-reviewers.

You did not originally request to see the actual external peer review comments; however, we did provide you with those comments where they were received by email. Some of the external reviewers provided comments as track changes and /or comments within the draft report. When responding to your original request these were considered out of scope. On review of your internal review request, we are applying a further exception under Regulation 12(4)(d) material in the course of completion, in respect to all unfinished documents and draft versions of the NEER155 report, including tracked-change and annotated draft versions. The comments on their own are also being withheld under the same exception because if extracted and released separately, there would be no context, and this would lead to confusion and misinterpretation, see below in Annex A, for further details of this exception.

3. Adequacy of searches undertaken

A thorough search was undertaken to locate information in scope of your request. Searches were directed within the Natural England Science Directorate sub-team that authored and oversaw the NEER155 report. The two members of the team who specifically oversaw the peer review process have left the organisation, and Natural England has not retained their individual emails. However, the remaining senior officers searched their individual emails accounts and shared electronic drives for all information that Natural England holds.

The request was interpreted as widely as possible and the original search included internal peer review and signoff ahead of publication, in order to be as transparent as possible.

Conclusion and Decision

An internal review of your information request has been completed and your points for review have been considered. The decision is that the internal review is unsuccessful because Natural England processed your request in accordance with its obligations under the Regulations and the original decision is sound. Natural England released the information held in scope of your request but does not hold some of the information requested. In addition, a further exception under Regulation 12(4)(d) Material in the course of completion, has been applied regarding draft material requested in the internal review.

If you remain dissatisfied following this review, you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or call on 0303 123 1113 (local rate), www.ico.org.uk.

Yours sincerely

Access to Information Manager
Legal and Governance
Natural England
foi@naturalengland.org.uk

Enc.

Annex A

Regulation 12(4)(d) - Material which is still in the course of completion

Regulation 12(4)(d) states that –

“a public authority may refuse to disclose information to the extent that its disclosure would adversely affect Material in the course of completion, unfinished documents and incomplete data”.

Any disclosure made under the Regulations is, in effect, a disclosure to the world at large, as any other applicant would be entitled to the same information on request. As such, we consider this when deciding whether it is in the public interest to disclose or withhold requested information.

While Natural England believes in openness and transparency, as a public body, it must ensure that the information it releases is accurate and not misleading. Given this, we have decided not to disclose these draft versions of the report, including track-changed and annotated versions. These draft versions were archived as unfinished versions and there was no intention to complete them.

In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure.

When performing this test Natural England considered the public interest in releasing the information. This included reasons to release information such as: the public interest in all environmental information; promoting accountability and transparency by Natural England for the decisions it takes; promoting accountability and transparency in the spending of public money; allowing individuals access to information that helps them understand the reasons why actions were taken by public bodies that affect them; understanding the nature of the relationship between the public body and the third party; furthering the understanding of and participating in the public debate of issues of the day.

This was weighed against the public interest in withholding the information. This included: that the information may be misunderstood and/or misinterpreted; safeguarding the free flow of information within Natural England, which it relies on in order to carry out its regulatory and statutory functions under legislation and; the potential damage to stakeholder relationships and the potential for unnecessary external pressures.

Natural England does not consider it appropriate to release unfinished or draft documents that may be different to the final published report. Any differences would lead to public confusion and misinterpretation, and which would require further unnecessary explanation.

Annex B

From: Andrew Gilruth agilruth@moorlandassociation.org

Sent: Thursday, January 8, 2026 10:12 AM

To: SM-NE-FOI (NE) foi@naturalengland.org.uk

Subject: Freedom of Information Request – Peer review process for NEER155

Dear Freedom of Information Officer,

This request is made under the Freedom of Information Act 2000.

I am seeking information relating to the peer-review process used for Natural England Evidence Review NEER155 (“Update to Natural England Evidence Review on the effects of burning on upland peatland biodiversity, carbon and water”).

Please provide the following:

1. Peer-review framework and scope

- a) Any written brief, terms of reference or guidance provided to peer-reviewers for NEER155.
- b) Any review templates, questions, scoring frameworks or checklists used as part of the peer-review process.
- c) Documents defining which materials were subject to peer review, including whether this included:
 - the full draft report,
 - evidence summaries, and/or
 - study quality or ranking assessments.

2. Peer-reviewers

- a) The number of peer-reviewers involved.
- b) For each reviewer, their institutional affiliation at the time of review (names not required).

3. Governance and sign-off

- a) Documents describing the internal governance or quality assurance process used to manage peer review for NEER155.
- b) Records confirming completion and sign-off of the peer-review process.

Format

Please provide the information in electronic format. If any information is withheld, please specify the exemption relied upon and provide the non-exempt remainder. If any element of this request is considered to exceed the cost limit, please identify which part so that it may be refined.

Annex C



05 February 2026

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Andrew Gilruth
agilruth@moorlandassociation.org

Dear Andrew Gilruth

Access to information – Request No EIR2026/00223

Thank you for your request for the information which we received on 8 January 2026. Your request has been considered under the Environmental Information Regulations 2004 (the EIRs).

You asked for the following information:

I am seeking information relating to the peer-review process used for Natural England Evidence Review NEER155 (“Update to Natural England Evidence Review on the effects of burning on upland peatland biodiversity, carbon and water”).

Draft copies of the report were reviewed by a panel of external reviewers. The report was also peer reviewed internally within Natural England.

Please provide the following:

1. Peer-review framework and scope

a) Any written brief, terms of reference or guidance provided to peer-reviewers for NEER155.

There was no specific brief, terms of reference or guidance provided to the panel of external reviewers, or internal reviewers, other than a request to review the report. Therefore, Regulation 12(4)(a), Information not held, applies.

b) Any review templates, questions, scoring frameworks or checklists used as part of the peer-review process.

There were no review templates, questions, scoring frameworks or checklists for reviewers to complete. Therefore, Regulation 12(4)(a), Information not held, applies.

c) Documents defining which materials were subject to peer review, including whether this included:

- the full draft report,

- **evidence summaries, and/or**
- **study quality or ranking assessments.**

There were no documents defining which materials were subject to the peer review. Therefore, Regulation 12(4)(a), Information not held, applies.

However, we can confirm that reviewers were sent draft copies of the report. Scores for study quality (internal validity) and external validity were included in the report text. Individual study quality assessment forms were not sent to reviewers. We interpret 'evidence summaries' to refer to sections 4-11 'summaries of recent evidence'. These formed part of the draft report which was reviewed.

2. Peer-reviewers

a) The number of peer-reviewers involved.

Five reviewers made up the external expert panel. A colleague of one panel member contributed additional comments on specific aspects of the report. Nine members of Natural England staff also provided comments on drafts of the report. A final, additional external reviewer provided comments, edited and proof-read the final draft report.

b) For each reviewer, their institutional affiliation at the time of review (names not required).

Details of the external expert panel are provided in NEER155 on page 3 under the heading 'External expert review group' ([An evidence review update on the effects of managed burning on upland peatland biodiversity, carbon and water - NEER155](#)). Details of other reviewers who provided comments are given in on page 3 under the heading 'Acknowledgements'.

3. Governance and sign-off

a) Documents describing the internal governance or quality assurance process used to manage peer review for NEER155.

The NEER155 report followed the Natural England's standard process for technical publications. The internal guidance for this process is documented and provided in the attached zip file named 'EIR2025_00223 Internal'. The Publication Submission form is also attached providing information in scope of your request regarding the QA process. Some of the information is redacted as it falls under EIR Regulation 12(3) – Prohibition on disclosure of personal Information. See further details regarding this exemption in Annex A below.

To summarise the peer review process, external scientists with relevant expertise were identified, contacted and asked if they would review the report, then they were sent the draft. Comments were received back, considered and addressed before the report was finalised. The draft report was also reviewed by a number of Senior Specialists within Natural England. The final report was signed off / approved by a Principal Specialist within Natural England. The report was then subject to the Natural England internal Technical Publications Cross Cutting Assurance Network review before final sign off for publishing.

b) Records confirming completion and sign-off of the peer-review process.

Natural England has undertaken a search and can confirm that it does not hold documents confirming completion and signoff of the peer-review process. However, we can provide correspondence confirming that individuals completed their reviews and provided their comments. These are provided to you in both the attached zip files (split by External and Internal). Some of the information is redacted as it falls under EIR Regulation 12(3) – Prohibition on disclosure of personal Information. See further details regarding this exemption in Annex A below.

Please note that the information we have supplied to you is subject to copyright protection under the Copyright Designs and Patents Act 1988. You may re-use this information (not including logos) free of charge in any format or medium, for the purposes of research for non-commercial

purposes, private study, criticism, review and news reporting. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Natural England copyright, and you must give the title of the source document/publication. However, if you wish to re-use all or part of this information for commercial purposes, including publishing and the information is not covered by the [Open Government Licence](#) you will need to apply for a licence. Applications can be sent to Enquiry Service, Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX.

This information may also contain third party copyrighted material and you will need to obtain permission from the copyright holders concerned before you re-use it.

As you may be aware, under the legislation, should you have any concerns with the service you have received in relation to your requests and wish to make a complaint or request a review of our decision, please contact the FOI team at foi@naturalengland.org.uk. They will arrange for a senior colleague to conduct an internal review. Under Regulation 11(2), this needs to be done within 40 working days after the date of this letter.

If you are not content with the outcome of that complaint or the internal review, you may apply directly to the Information Commissioner for a decision. The Commissioner can only decide if you have exhausted the internal review procedure provided by Natural England. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or on 0303 123 1113 (local rate), www.ico.org.uk

Yours sincerely,

Access to Information Team
Legal, Governance and External Affairs
foi@naturalengland.org.uk

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Annex A

Regulation 12(3) - Personal Information

The names, signatures, contact details and other identifiers of private individuals and staff members in certain circumstances are considered by Natural England to be personal information as defined by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

The First Data Protection Principle says that personal data shall be processed lawfully, fairly and in a transparent manner. Guidance published by the Information Commissioner, states that when considering fairness in relation to disclosing personal information under FOIA and EIR it will usually mean considering:

- whether the information is sensitive personal data;
- the possible consequences of disclosure on the individual;
- the reasonable expectations of the individual, taking into account: their expectations both at the time the information was collected and at the time of the request; the nature of the information itself; the circumstances in which the information was obtained; whether the information has been or remains in the public domain; and the FOIA and EIR principles of transparency and accountability; and
- any legitimate interests in the public having access to the information and the balance between these and the rights and freedoms of the individuals who are the data subjects.

When personal information is collected from individuals by Natural England, we do not inform them that the information will remain confidential or that it may be released, however, we believe that there is an expectation of confidentiality.

We consider that there is no overriding legitimate interest in the personal information being made public.

The release of personal information and any subsequent contact may cause unnecessary or unjustified distress or damage to the individuals if released.

Natural England is, therefore, satisfied that the redacted parts of the information requested fit the definition of personal data and that its release would be 'unfair' under the meaning of the first Data Protection Principle and should not be released.

Attachment 2 - to MA letter dated 10 April 2026



The Moorland Association

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18 February 2026

Dear Marian Spain and Paul Kissack,

Subject: Clarification sought regarding public assurances of “rigorous peer review” for NEER155

We write jointly to Natural England and Defra to seek formal clarification regarding the basis upon which Natural England Evidence Review NEER155 (An evidence review update on the effects of managed burning on upland peatland biodiversity, carbon and water) has been publicly described as having undergone “rigorous peer review.”^[1]

NEER155 has been relied upon in ministerial statements to Parliament and has been referenced in legal proceedings as a peer-reviewed scientific evidence review. It is currently being used to inform regulatory decisions with significant implications for upland land management, stewardship arrangements and rural livelihoods.

In those circumstances, the accuracy and evidential basis of public assurances regarding the robustness of the peer-review process are matters of legitimate public and Parliamentary interest.

We also note the continuing scrutiny by Environment, Food and Rural Affairs (EFRA) committee reviewing Defra and its arm’s-length bodies. We note this includes governance, capability and accountability in regulatory delivery^{[2][3]}; this letter seeks clarification squarely within that assurance and accountability frame.

This also engages wider concerns repeatedly examined by Parliamentary committees about governance, assurance and accountability across Defra group bodies, including the need for robust processes and an auditable evidence base where public bodies provide assurances that are relied upon in policy, Parliamentary and legal contexts.

To make this letter easy to navigate, we summarise the issue upfront. Natural England’s Environment Information Regulations disclosures confirm that key artefacts normally expected to evidence a “rigorous peer review” process are not held (review brief, terms of reference, defined scope, structured response tracking, and a formal completion/sign-off record). Against that, NEER155 is

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recorded as Tier 4 (External / independent peer review)[10] and has been relied upon as “rigorously peer reviewed” in ministerial and legal contexts. We therefore set out below a short list of specific confirmations and documents we ask Natural England and Defra to provide, together with a proportionate remedy if the assurance cannot be substantiated on the retained record.

Meaning of “rigorous peer review” in this context

In this context, we use “rigorous peer review” to mean a process with: (i) a defined scope and reviewer instructions; (ii) reviewer access to the complete draft or a clearly documented subset; (iii) a documented method for recording and responding to comments; and (iv) a recorded completion/sign-off of the external review stage.

For avoidance of doubt, the question is not whether any external comments were received, but whether the description “rigorous peer review” as used publicly (and relied upon in Parliamentary and judicial contexts) denotes a structured, auditable assurance stage that can be substantiated on the retained record.

Minimum substantiation threshold (retained record)

By “substantiate” we mean that Natural England/Defra can point to a retained record showing: (a) which version(s) were reviewed; (b) what reviewers were asked to do (brief, terms or reference or scope); (c) what comments were received; (d) how those comments were addressed (or why not); and (e) who confirmed completion/sign-off. If those records are not held, then the description “rigorous peer review” cannot reasonably be maintained where the term is relied upon for ministerial, Parliamentary, regulatory, or legal assurance purposes.

On the material disclosed to date, it remains unclear how far these elements were present, evidenced, and recorded for NEER155 - particularly given how the term “rigorous peer review” has been used in Parliamentary and judicial contexts.

Disclosures under the Environmental Information Regulations (EIR)

Following disclosure under the Environmental Information Regulations, Natural England has confirmed that:

- No written brief, terms of reference or structured guidance was provided to external reviewers.[4]
- No review template, scoring framework or checklist was used.[4]
- No document exists defining which components of the report were subject to external peer review. [4]
- No formal record confirming completion of the peer-review stage is held. [4]
- Drafts circulated to reviewers were incomplete or still under development, with key sections (including Introduction, Methods, Conclusions and Appendices) not initially available.[5]
- Compressed timescales were applied during later stages of review, with reviewers being told that Natural England was “*not expecting further detailed comments*” at a late stage. [5][11]

We also note that the internal circulation of the draft appears to have been framed as a Technical Publications Quality Assurance (TPQA) network clearance exercise, rather than a defined external peer-review process. In the internal circulation email, recipients were told to forward the draft “*to anyone who might have an interest*”[6] and that “*a nil response will be taken as an assumption that you do*

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not object to the report being published.”[6] That approach, open-ended onward circulation coupled with a ‘no reply assumes no objection’ - is not a substitute for a structured, auditable peer review with identified reviewers, clear instructions, recorded responses, and documented resolution of comments. It strengthens the need for Natural England and Defra to explain precisely what process is being described publicly as “rigorous peer review”, how it was controlled, who participated, and how substantive challenge was captured and addressed.

Taken together, these disclosures amount to Natural England confirming it does not hold[4] the basic artefacts ordinarily expected to evidence a “rigorous peer review” process - namely: a reviewer brief and or terms of reference; a defined scope of what was reviewed (full draft or subset); a structured method for capturing and responding to comments; and a formal record that peer review was completed and signed off.

In addition, Natural England’s EIR response expressly indicates that key process documents are “not held”[4], including any reviewer brief, terms of reference or guidance; any templates/checklists for reviews; and any document defining what materials (and which versions) were in scope for review. It also states that the individual study quality-assessment forms were *not* sent to reviewers[4]. This matters because, without those underlying assessment materials and a defined review brief/scope, external reviewers could not reasonably be expected to verify how studies were appraised, weighted, or excluded in practice - nor can Defra or Natural England now demonstrate, on the retained record, that the review process met the standard implied by repeated public assurances of “rigorous peer review”.

That is the core discrepancy this letter seeks to resolve: either the process was conducted to a standard consistent with that public characterisation (in which case an auditable record should exist), or the public characterisation should be corrected to reflect what can actually be substantiated on the retained record.

We recognise that external experts were consulted and that comments were received. We also note that NEER155 itself lists an “External expert review group” by name and affiliation. That is welcome, but the publication of names is not the same thing as an auditable peer-review process. In particular, the retained record disclosed to date still does not evidence (i) what those reviewers were asked to do, (ii) which version(s) they saw and whether they saw the complete final draft (or a defined subset), (iii) what comments were provided, and (iv) how Natural England assessed, responded to, and signed off those comments as “peer review” (as opposed to informal input).

Moreover, the disclosure record refers to external inputs beyond the named panel (including a colleague of a panel member, and an additional external reviewer who “*provided comments, edited and proof-read*” the final draft).[4]

Further, the disclosure that an additional external reviewer “*provided comments, edited and proof-read*” the final draft raises a distinct governance issue that goes beyond peer review. Editing/proof-reading the final text can amount to substantive shaping of the document and its evidential framing, and therefore needs to be transparently distinguished from independent peer review. We therefore request clarification of (i) who commissioned this work; (ii) whether it was paid/contracted (and if so on what terms); (iii) what the reviewer was asked to do (peer review, technical review, editorial work, or a mix); (iv) what authority they had to amend text; and (v) how this role was described internally and in any ministerial briefings relying on the term “rigorous peer review”. Without that

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clarity, there is a risk that a hybrid ‘review and editorial’ contribution is being presented publicly as straightforward independent peer review.

On a contentious evidence review that is being relied upon in regulatory and legal contexts, completeness matters: selective or undocumented review inputs are not capable of substantiating the public assurance “rigorous peer review.”

The disclosed correspondence also indicates that at least some external input was necessarily selective and scoped to narrow areas of interest rather than a full review of the report’s methodology and evidential logic. For example, one academic notes that they “*just scanned through the document*”[7] to see whether it mentioned their own specialist area (palaeoecology), and then suggested additional references. Such input can be helpful, but it is not equivalent to an auditable peer review of the study-selection logic, quality appraisal, weighting, and synthesis that underpin NEER155’s conclusions. This reinforces the need to publish the identities and roles of reviewers, clarify what each was asked to do, and distinguish clearly between limited subject-matter signposting and a full methodological peer review capable of substantiating the public description “rigorous peer review.”

However, the combination of (a) “information not held” [4] responses for basic review artefacts and (b) evidence that reviewers were asked to comment on partial drafts and under tight timelines raises substantive questions about whether the process corresponds to the description “rigorous peer review” in the ordinary meaning of that term in scientific and regulatory practice.

In particular, where reviewers are asked to comment on incomplete or evolving drafts[5], and later informed that the organisation is “not expecting further detailed comments” at a late stage, it becomes difficult to see how reviewers could have tested the reproducibility and integrity of the review as an “evidence review” - including the search strategy, inclusion/exclusion logic, study-quality assessments, and the synthesis that underpins conclusions.

This is not merely a theoretical concern. In the internal review correspondence disclosed under EIR, one reviewer explicitly records that they “*haven’t had chance to review every part*”[8] and, critically, that the inclusion/exclusion criteria are not described in sufficient detail for them to “*recreate this review*.”[8] Another reviewer states “*I won’t pretend to have read it end to end*”.[12] One reviewer makes it clear that since “*the full draft has not been completed, so again, it’s hard to give a complete overview*”.[13] These contemporaneous observations from within the review and quality assurance process goes directly to the credibility of subsequent public statements that NEER155 underwent “rigorous peer review” in the sense that an independent expert could verify and replicate the review’s selection logic and overall evidential weight. It underlines why Defra and Natural England should now provide a clear account of what was done to address this replicability deficiency before publication.

If Natural England maintains that the overall process nevertheless met a standard consistent with “rigorous peer review”, we would expect there to have been a defined final-stage review of the complete draft (or a clearly documented subset), with a recorded method for capturing and responding to comments and a clear completion/sign-off record.

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Internal standards and what appears to have occurred

Natural England's own technical publications guidance describes a four-tier quality assurance model, where Tier 4 (External / independent peer review)[9] is the highest level and is intended for high transparency / reputational risk contexts, and is to be carried out by qualified technical experts independent of stakeholder and other interests.

That expectation of independence and auditability is also consistent with wider current thinking on good regulation in the Defra group, which emphasises that regulation should be transparent and accountable as well as proportionate and consistent. Where an "external/independent" Tier 4 assurance is relied upon publicly, the assurance trail should therefore be capable of being evidenced on the retained record, not merely asserted.

That same guidance states that for Natural England Evidence Reviews, the methodology itself needs to be reviewed (at that stage) by a Principal Specialist or a Director/Deputy-Director to ensure it meets evidence review standards, and that confirmation should be included in the Publication Submission Form.

In the disclosed Publication Submission Form for NEER155, the "Level of technical review" is recorded as Tier 4[10], and the form includes a specific question on whether the methodology was reviewed to meet evidence review standards.

We also note that the Publication Submission Form disclosed under EIR records that the submission (dated 06/12/2024) was subsequently "edited" on 18/02/2025,[10] and that the form itself contains multiple preferred publication dates. Given that Natural England appears to rely on this form as part of the evidential basis for publication assurance (including the Tier 4 classification and associated sign-off), it is material to understand what was changed on 18/02/2025, by whom, and for what reason. We therefore request that Natural England disclose a version history (or tracked changes / audit log) for the Publication Submission Form and confirm whether any amendments altered or supplemented the record of the review pathway, methodology review, peer review status, or approvals. In the absence of that, the form cannot safely be treated as a stable, contemporaneous record capable of substantiating the assurance now being relied upon.

Against that background, it is difficult to reconcile with the EIR position that Natural England does not hold basic records typically expected to evidence and substantiate the label being used (brief/scope/instructions, structured process, completion/sign-off record), when:

- a stated Tier 4 / "external/independent" assurance level,
- an evidence-review methodology assurance requirement, and
- an internal process that emphasises audit trail and sign-off.

This creates a straightforward issue of public accountability, either:

- (A) the process was conducted and recorded in a manner consistent with Tier 4/evidence-review standards, in which case supporting artefacts should exist,
- or
- (B) the Tier 4 / "rigorous peer review" characterisation is not evidenced on the retained record.

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Alignment with Natural England's Evidence Review Framework (NEER001)

We anticipate that Natural England may consider that NEER155 was conducted in accordance with its published evidence review guidance (NEER001). We therefore request confirmation of how the peer-review and quality assurance processes applied in NEER155 align with that framework, particularly in relation to:

- methodological assurance prior to publication
- structured and comprehensive external review of the full report (or a documented subset)
- clear communication of scope and assessment expectations to reviewers
- documentary evidence demonstrating how reviewer comments were assessed and addressed, and
- formal confirmation of completion of the external review stage.

In particular, please provide the completed NEER001 compliance record/checklist (or equivalent internal record) for NEER155, or confirm explicitly that no such compliance record exists/was completed, and explain on what documented basis Natural England nonetheless concluded that NEER155 met the relevant NEER001 requirements.

If Natural England's position is that NEER001 compliance was evidenced through informal emails, meetings, or verbal sign-off rather than a completed checklist/record, please provide a collated record (redacted as necessary) identifying: (a) dates; (b) attendees/roles; (c) what specific NEER001 requirements were considered; (d) what versions/materials were reviewed; and (e) the recorded decision that NEER001 requirements were met. If no such collated record can be provided, please confirm explicitly that Natural England holds no documentary record evidencing NEER001 compliance for NEER155 beyond the Publication Submission Form and the materials already disclosed.

What we are asking you to provide or confirm

We request that Natural England and Defra provide the following within 20 working days.

1) QA / peer review level applied (and basis)

- 1.1 Confirm the QA/peer review level applied to NEER155, including whether it was treated as Tier 4 external/independent peer review (or equivalent), and the basis for that classification.
- 1.2 Provide the NEER155 Publication Submission Form pack in full (including any annexes/attachments submitted with it), and confirm whether the disclosed form is complete.
- 1.3 Confirm who reviewed the methodology to ensure it met evidence review standards, when that review occurred, and what was reviewed (eg. protocol/search strategy/inclusion criteria). Provide any record of that review (email/meeting note/recorded decision), with names redacted if necessary.

2) Scope, versions sent, and timeline

- 2.1 Provide the scope and timeline of external review. What versions were sent, on what dates, and whether reviewers saw the full draft (including Introduction, Methods, Conclusions and Appendices).

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- 2.2 Where reviewers were asked to comment on partial or “drafty” [11] versions, please confirm how Natural England ensured the final full draft was reviewed to a standard consistent with the phrase “rigorous peer review,” and what evidence exists of that.

3) Audit trail of responses and completion/sign-off

- 3.1 Describe the process used to record, assess and respond to reviewer comments (including whether a response log existed; if not, confirm that none exists and explain what alternative mechanism was used).
- 3.2 Provide records evidencing completion and sign-off of the external review stage, including any “ready to publish” clearance and/or documented decision that peer review was complete.

If any item requested at 3.1 and 3.2 is said not to be held, please additionally confirm which of the following applies (and why): (i) the record was never created; (ii) it was created but is no longer retained (and on what authority/retention rule); (iii) it exists but is held in another system/custodian; or (iv) it exists but is being withheld (and the legal basis). Please also confirm where such records are required or expected to be kept under Natural England’s Technical Publications process, and whether the absence of those records represents a departure from that process for this publication.

- 3.3 Provide the record of the internal cross-cutting review set-up (including the dates and the list of “report approvers” recorded in the Publications Database entry), with names redacted if necessary but roles/titles and dates retained.
- 3.4 Provide evidence of Evidence Director final sign-off (or confirm whether it was obtained and how it was recorded).
- 3.5 External review artefacts (comments and Natural England response record): Please provide the retained external reviewer comments and Natural England’s responses/changes (eg. response-to-review log, tracked-changes drafts, annotated PDFs, compiled comment sheets, or email threads evidencing comments received and how they were addressed), redacted as necessary for personal data. If no such record exists, please confirm explicitly that Natural England does not hold any retained record capable of evidencing (i) what external comments were made and (ii) how they were evaluated and actioned prior to publication.

4) Reviewer independence / conflicts (given Tier 4 implications)

- 4.1 Confirm whether any conflict-of-interest declarations or independence checks were sought or recorded for external reviewers, and if so provide the policy/process and a redacted record that the checks occurred.

Given that NEER155 is recorded as Tier 4 (“External / independent peer review”) and has been publicly relied upon as “rigorously peer reviewed”, it should be possible to evidence what steps were taken to ensure reviewer independence from stakeholder and other interests (and to manage any conflicts), even if the names themselves are redacted.

If no such steps were undertaken or recorded, please confirm that explicitly and explain how the Tier 4 / “external/independent” designation was nevertheless justified.

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4.2 The disclosed material indicates that some external input involved purchase-order/paid review arrangements in earlier related review correspondence,[14] and that an additional external reviewer “provided comments, edited and proof-read the final draft report.”[4]

Please clarify:

- which external contributions were paid/contracted
- whether any reviewer had a role extending beyond peer review (eg. editing/proofreading), and
- how those roles were described to Ministers when the term “rigorous peer review” was used.

4.3 Completeness of external contributions (to rule out selectivity). Please confirm the complete list of *all* external contributors who provided substantive input on draft(s) of NEER155 (including, but not limited to, the named External expert review group, the colleague of a panel member referenced in disclosure, and the additional external reviewer who “provided comments, edited and proof-read” the final draft). For each contributor, please confirm: (i) their affiliation; (ii) the capacity in which they contributed (peer review / technical review / editorial / proofing); (iii) what they received (which version(s) and which sections); and (iv) the dates of transmission and return.

5) Basis for ministerial assurances and corrections if not substantiated

5.1 Identify the documentary basis on which the description “rigorous peer review” was provided to Ministers (including the specific wording used in briefings), who cleared it, and whether it relied on the Tier 4 classification and/or the Publication Submission Form.

Please provide the relevant ministerial submission(s)/briefing note(s)/lines-to-take (or a redacted extract showing the exact wording in context), together with the document references, dates and version control identifiers. If the wording appeared in multiple briefings, please provide a list of each instance (date, audience, document title) and identify the originating “source of truth” text from which the wording was propagated.

5.2 Please confirm either:

- (A) Defra considers the description “rigorous peer review” substantiated on the retained record, and identifies the specific retained documents that substantiate it; or
- (B) Defra does not consider it substantiated on the retained record, and will therefore: (i) set out the exact correction Defra/Natural England will issue, (ii) identify the forum(s) in which the assurance has been relied upon (including any ministerial/Parliamentary usage), and (iii) provide a date by which the correction will be made.

If Defra is unable to identify a clear documentary basis that substantiates the phrase “rigorous peer review” as used in ministerial briefings, please confirm whether Defra will (i) correct the record in the relevant forum(s) (including, where applicable, the Parliamentary record), and (ii) ensure that any future references to NEER155 accurately describe the assurance that can be evidenced on the retained record.

Please also confirm the specific internal search locations/record systems checked in Defra and Natural England when determining what evidence exists to substantiate that ministerial assurance.

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Given the weight the term “peer reviewed” carries in scientific, policy and legal settings, Defra should ensure that any ministerial briefing language asserting “rigorous peer review” is capable of being evidenced by the retained record, and that any uncertainty is clearly caveated rather than asserted as assurance.

For avoidance of doubt: this is not a semantic issue. The term “peer-reviewed” carries weight in scientific, policy and legal settings. When such terminology is relied upon in Parliament and before the Court, it must be capable of being substantiated by reference to a clear and documented process.

Constructive remedy (if the process cannot be evidenced)

To help resolve this proportionately, we set out two alternative remedies: (a) a minimum remedy focused on correcting the public/ministerial description to reflect what can be evidenced on the retained record; and (b) a maximum remedy focused on remedying the underlying assurance gap through a clearly scoped external peer review of the complete final draft, with an auditable record of reviewer comments and Natural England’s responses. Either route would restore clarity and accountability in how NEER155 is represented and relied upon.

In the absence of retained records sufficient to substantiate “rigorous peer review”, the default and proportionate minimum remedy is to withdraw or correct that description wherever it has been used, and to re-describe NEER155 accurately in terms of the assurance trail the retained record can evidence.

If the process cannot be evidenced to a standard consistent with “rigorous peer review” (as used publicly), we invite Natural England and Defra to confirm whether they will either:

- re-describe NEER155 as “externally reviewed” (rather than “rigorously peer-reviewed”), or
- commission a clearly scoped external peer review of the final full draft (with written terms of reference and a recorded response-to-review log, redacted where necessary).

Transparency

In the interests of transparency, we intend to publish this correspondence in due course.

We would therefore welcome a clear and detailed written response within 20 working days. If any requested item is said not to be held, please also confirm the searches undertaken and where such records would ordinarily be kept under Natural England’s technical publications process.

Yours sincerely,

Andrew Gilruth
Chief Executive
Moorland Association

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Cc:

- 1) Mary Creagh CBE MP, Parliamentary Under-Secretary of State (Minister for Nature), Department for Environment, Food and Rural Affairs.
- 2) Professor Anjali Goswami, Chief Scientific Adviser, Department for Environment, Food and Rural Affairs.

Sources:

- [1] Parliamentary Question, answered by Mary Creagh CBE MP, Parliamentary Under-Secretary of State (Minister for Nature), Department for Environment, Food and Rural Affairs on 23 Dec 2025 <https://questions-statements.parliament.uk/written-questions/detail/2025-12-16/100702/>
- [2] EFRA 2026 enquiry into Environmental Regulation <https://committees.parliament.uk/work/8598/work-of-the-department-and-its-armslength-bodies>
- [3] Defra Accounting Officer system statement 2025 (Published 2 February 2026) <https://www.gov.uk/government/publications/defra-accounting-officer-system-statement-2025/defra-accounting-officer-system-statement-2025>
- [4] EIR2026/00223: NE EIR letter of response, dated 5 Feb 2026 (attached as Annex A).
- [5] EIR2026/00223: NE email to external reviewer, dated 23 Sep 2024 (attached as Annex B)
- [6] EIR2026/00223: NE internal email to staff, dated 6 Dec 2024 (attached as Annex C)
- [7] EIR2026/00223: External reviewer email to NE, dated 8 Nov 2024 (attached as Annex D)
- [8] EIR2026/00223: External reviewer email to NE, dated 24 Dec 2024 (attached as Annex E)
- [9] EIR2026/00223: NE Technical Publication, last updated, 18 Apr 2024 (attached as Annex F)
- [10] EIR2026/00223: NE Publication Submission Form, dated 6 Dec 2024 (attached as Annex G)
- [11] EIR2026/00223: NE email to external reviewer, dated 7 Nov 2024 (attached as Annex H)
- [12] EIR2026/00223: External reviewer email to NE, dated 10 Nov 2024 (attached as Annex I)
- [13] EIR2026/00223: External reviewer email to NE, dated 14 Mar 2024 (attached as Annex J)
- [14] EIR2026/00223: NE email to external reviewer, dated 5 Mar 2024 (attached as Annex K)

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