

Deputy Chief Constable N Harrison
North Wales Police HQ
Glan Y Don
Abergele Road
Colwyn Bay
LL29 8AW

18 September 2024

Dear DCC Harrison

RE: Raptor Priority Delivery Group

Members of the Moorland Association manage over a million acres of land and pride themselves on having had a positive working relationship with the police. However, recent actions by the officers in the Raptor Priority Delivery Group (RPDG) of the National Wildlife Crime Unit (NWCU) appear to be simultaneously undermining its own aims and trust in the police (see Annex 1).

The NWCU has declined to engage any further with the Moorland Association so hence I am approaching you, as NPCC National Lead for Wildlife Crime and Rural Affairs. If the police feel some or all of the points raised in Annex 1 are incorrect, I would like to understand why. If they are correct I feel we need to agree a constructive way forward.

The Moorland Association is particularly proud of its work on the ground - particularly through its members' very substantial commitment to, and active involvement in, the Defra Brood Management Scheme - to help unlock the cause of raptor crime. Results of the seven-year trial suggest it has been an astonishing success and is changing attitudes. The harrier population in England is now at a 200-year high. However, we have real concerns that the recent actions of the police will undermine that progress.

The police have repeatedly stated that it 'can not arrest its way out of raptor crime' and 'wants to work in partnership with landowners to address it'. Our members wholeheartedly agree with that approach and work constructively with the police across a range of issues. They also appreciate greatly the efforts of police officers in dealing with challenging situations, including the prevention of illegal and intimidating saboteur activity at shoots.

However, recent police actions from within the NWCU appear to be based on unsubstantiated assertions, the use of adversarial language and adopting the actions activists demand. The internationally recognised IUCN guidelines on these situations stress that all efforts should be made to avoid allowing wildlife conflict situations to escalate.

Since it is in the interest of nobody, other than perhaps certain activists opposed to driven grouse shooting, to perpetuate the situation, the Moorland Association is requesting a meeting with you soon to discuss a way forward. I am also concerned that this situation is having a cumulative negative impact on the mental wellbeing of gamekeepers, their families and our staff. We have recorded many instances of this occurring which I am happy to share with you

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Lambert', with a stylized flourish at the end.

James Lambert OBE
Chairman
Moorland Association

CC:

- 1) Secretary of State for the Home Department, The Rt Hon Yvette Cooper MP
- 2) Secretary of State for Environment, Food and Rural Affairs, The Rt Hon Steve Reed OBE MP
- 3) Chief Constable of Northumbria Police, Venessa Jardine
- 4) Chief Constable of Durham Constabulary, Rachel Bacon
- 5) Chief Constable of North Yorkshire Police, Tim Forber
- 6) Chief Constable of West Yorkshire Police, John Robins QPM DL
- 7) Chief Constable of South Yorkshire Police, Lauren Poultney
- 8) Chief Constable of Cumbria Constabulary, Rob Carden
- 9) Chief Constable of Lancashire Constabulary, Sasha Hatchett
- 10) Chief Constable of Derbyshire Constabulary, Rachel Swann

Encl.:

Annex 1 – National Wildlife Crime Unit (NWCUC)

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	Comment	Source
1. Exaggerating crime	These police officers have been visiting our members and asserting to them (and the Moorland Association by email) that crime “is happening”¹ on their moors. When challenged on this² the police then state “<i>Theres (sic) never been a mention of knowing a crime is happening</i>”³ the police simply “believes” crime has happened.’ We feel the police should be both clear and consistent if it wishes to build trust. Throughout this exchange the police never give thought to the fact that on non-grouse shooting moors 33% of ‘missing’ satellite tags are not recovered⁴. Hence a lost tag does not necessarily equate to a crime. The police have also asserted, during visits to our members, that hen harriers do not leave moors. This ‘fact’ has been used to suggest that where birds have left a moor this is because they have been illegally disturbed. This suggests a poor understanding of raptor ecology. Satellite tracking map⁵ evidence undermines the police claim and so confidence in what it is doing. These visits have also been widely publicised⁶ on social media by the police, which only further infers guilt. The objective⁷ of the police RPDG is to ‘Raise community trust and awareness to facilitate intelligence and incident reporting, leading to increased prevention and	1. “where crime is happening” email 10 July 2024 and during site visits. 2. Email from the Moorland Association 11 July 2024. 3. Email received 12 July 2024. 4. See Section 6, Cluster Analysis (below). 5. Maps have shown this for years. This one from 2016 https://community.rspb.org.uk/ourwork/skydancer/b/skydancer/posts/follow-that-bird-hen-harrier-satellite-maps-go-live 6. As detailed in the email we received from the police 22 May 2024. 7. https://www.nwcu.police.uk/how-do-we-prioritise/purpose-process-and-responsibilities-of-a-priority-delivery-group/

		enforcement activity relating to <i>Bird of Prey Crime</i> . We feel the police actions ⁸ are undermining the RPDG objective.	8. Also see Sections 2 to 10 (below) for more police actions undermining this objective.
2.	Circumventing surveillance regulation	The 'belief' above is now being used by the police to ask our members for consent to install cameras and other monitoring equipment without sharing what the police are doing¹. This appears to be an attempt to circumvent the surveillance regulations designed to protect law abiding citizens^{2,3}. If the police have evidence that crimes are happening it already has powers to undertake covert surveillance and there is no need to seek permission. We feel these are legitimate questions which the police have refused to answer on the basis we attended a briefing about these police visits. However, the police briefing did not cover this point and hence the questions. They remain unanswered⁴.	1. Police Land Permission Letter shared with the Moorland Association, email 8 July 2024. 2. The Moorland Association first asked for clarity on this by email 8 July 2024. Our concerns were outlined in our blog here www.moorlandassociation.org/2024/07/blog-surveillance-why-are-the-police-bypassing-regulation/.. 3. The Moorland Association asked for an explanation again by email on 9 July 2024. 4. The police have explained that if a landowner has given consent for monitoring (even where the police do not say what it is doing) this is not covert surveillance. We accept this technical point and have published this on our website. However, that does not answer our question. Why do the police appear to be circumventing UK surveillance regulation?
3.	Withholding information	Examples where we believe information has unreasonably been withheld include: • Where a satellite tag fitted to a bird stops transmitting, and no evidence is recovered, these police officers refuse to share^{1,2} how it concludes it is a crime. We are told a policy document exists, but we can't read it because it does not need our help³. We feel that if the NWCUC wish to state crimes are happening, where there is no evidence,	1. The Moorland Association requested this information by email 10 July 2024 and again by email 22 July 2024. 2. See Section 5, Biased treatment (below) where the same logic is applied by the police. 3. Email received from the police 11 July 2024.

		it must share the police policy which allows it to reach this view. Birds of prey travel and move across large areas of moorland. However, these police officers have stated crimes 'have' been committed even when satellite tracking data shows they were alive long after leaving their land. The NWCUC have not shared their policy on how they conclude this is so.	
4.	Inflammatory language	The NWCUC describes areas of final satellite tag transmissions from birds as 'crime hot spots'¹. This is highly inflammatory because the evidence does not support the claim². Nor will the police share its policy on how these are defined³. The NWCUC states it recognises that 'no-one wants the label of a crime hotspot'⁴. It appears clear to us that it knew the term was inflammatory. Either way the Moorland Association feels it is fair to receive clarity on how the police define this description.	1. Police press release May 2024 here https://candofm.co.uk/news/hen-harrier-task-force-launched-to-tackle-illegal-persecution/ and emails 22 May 2024, 8 July 2024, 12 July 2024, 29 July 2024. 2. See Section 5, Cluster analysis (below) 3. See Section 5, Biased treatment (below). 4. Email received 22 May 2024.
5.	Biased treatment	The Moorland Association has given the police full access to all our satellite tag data and we have put all final fixes in the public domain¹. We have asked² to read the policy which explains how the police interpret our tags and data. The document is marked 'Official Police & Partners' and we were asked what we intended to use it for and that we would need a secure email address to receive it³. We suggested it could be put in the post⁴ (Government Security Classification Guidance 722	1. Moorland Association satellite tag data is published here www.gov.uk/government/publications/hen-harriers-tracking-programme-update/hen-harrier-tracking-update 2. Moorland Association email 10 July 2024. 3. Police email 11 July 2024 (9.18am) 4. Moorland Association email 11 July 2024.

		states this is permitted) and that we would “promote better understanding within Moorland Association members”. However, we then received an email dismissing our information request stating that the police “don’t feel the police need support with levels of suspicion or when to suspect a crime”⁵. Thus, entirely missing the point and an opportunity to build community trust. In contrast we believe the RSPB has been given this document. However, we understand that the RSPB has not given the police full access to all RSPB tag data. Nor has the RSPB published final fixes of its tags, as we have.	5. Police email 11 July 2024 (6.30pm)
6.	Cluster analysis	Our detailed analysis on final transmissions from satellite tags shows that ‘clusters’ of these also occur outside grouse moor areas. However, the police repeatedly refuse to acknowledge this is the case and incorrectly assert these clusters are only found on grouse moors¹. We have asked for the police definition of a ‘hot spot’ to be shared², in response the police state it “will not be sending you [Moorland Association] anything relating to the work of the PDG”³. This police position directly undermines the purpose of the recent visits, which it says is “about building relationships between estates, staff and the police”. Nor is this “open and transparent” as the police claim⁴.	1. “the only hot spot areas are on land relating to grouse shooting” email 12 July 2024. Our data analysis reveals that the second largest of these clusters is well away from driven grouse moors. Our analysis demonstrates that a greater percentage of birds are either lost beyond driven grouse moors or as a result of natural causes rather than by possible illegal killing on driven grouse moors. Since there is no way of knowing how many unrecovered birds died from natural causes (33% of birds lost beyond grouse moors are not recovered, there is no reason why the two groups would become diseased at different rates) – thus the potential for illegal killing on driven grouse moors must be exaggerated. The police appear to have simply adopted the inflammatory views of the RSPB press office. 2. Moorland Association email 22 July 2024. 3. Police email 29 July 2024. 4. Police email 31 July 2024

7.	False claims	These police officers have falsely claimed that the Moorland Association had been invited to attend their visits to our members¹. Even more strangely, they have repeatedly asserted that we had declined² the invitation – even when told it is false³. No acknowledgement or apology has been received. The police continue to make this claim^{4,5}.	1. Emailed received 8 July 2024. By return email, that day, we explained that no invitation had been received. 2. Email received 8 July 2024. 3. Moorland Association email 8 July 2024. 4. Email received from the police 16 July 2024. 5. Email received from the police 31 July 2024.
8.	Deliberate obstruction	The NWCUC asked the Moorland Association to update its wildlife crime action report¹, but as soon as we asked for a copy to populate, we were told that we can't see it because it can only be emailed to us, but the police can't do so because we don't have a secure email address².	1. Email received 11 July 2024 and 29 July 2024. 2. We note <i>Government Security Classification Guidance (722)</i> allows information to be sent by post.
9.	Disproportionate requests	These police officers requested the deletion of a single Moorland Association blog updating our members on the current situation and then using this request as a pretext to terminate RPDG Partnership membership – despite the police acknowledging we had added a clarification¹. The police never told us what was factually wrong with the blog it just kept making the assertion^{2,3} hence we could not further update our members. In contrast the NWCUC has taken no action against RPDG Partners that have taken legal action to try and undermine DEFRA's successful plan to remove the cause of wildlife crime against hen harriers⁴, nor when the RSPB Partnership member criticised the NWCUC at a public protest event attended by police officers⁵.	1. We confirmed the blog had been updated by email and the police acknowledged this by email, 16 July 2024 2. Email received 8 July 2024 described the blog as “wrong”. 3. “Factually incorrect” On 10 July 2024. 4. https://community.rspb.org.uk/ourwork/b/martinharper/posts/an-update-on-the-rspb-s-legal-challenge-of-natural-england-s-decision-to-grant-licenses-to-trial-brood-management-of-hen-harriers 5. Mark Thomas, RSPB Head of Investigations (RPDG member) gave a speak at Hen Harrier day (18 August 2024) which included the phrase “when the police aren't good enough”.

		We note the RSPB wildlife investigation unit has been criticised in court for gathering information unlawful activity⁶. We are not aware of any action being taken by the police or the NWCU. Unlike the RSPB, the Moorland Association has not acted unlawfully nor publicly criticised the police. However, the NWCU feels it can criticise us for asking legitimate questions and use this a pretext for no longer speaking to the Moorland Association.	6. https://sporting-gun.com/article/rspb-case-thrown-out-of-court
10.	Refusing to answer questions	Police officers in the NWCU have repeatedly refused to answer legitimate questions raised by the Moorland Association¹. Instead, they have: • questioned if our staff are “on the same side” as the police². • accused the Moorland Association of wasting police time³. • claimed public confidence in policing has been undermined⁴ but failed to provide evidence^{5,6}. • stating that complaints had been received⁷ about us but refused to provide any details. • stated that we have not answered questions⁸ but failed to share what these are. • Accused the Moorland Association of “attacking the wrong people”⁹. • used the points listed above to terminate membership of the RPDG¹⁰. After we posted a blog updating Moorland Association members on this development¹¹ we were criticised by	1. Police email 29 July 2024. 2. Police email 8 July 2024. 3. In relation to the application of IUCN guidelines on conflict resolution the police said the Moorland Association was “wasting time” email dated 6 June 2024. 4. Email dated 16 July 2024. 5. Email dated 29 July 2024. We requested details and explained that not a single journalist had approached the Moorland Association. We were aware activists have commented on social media (we don’t recognise this a reflection public opinion nor undermining public confidence in the police). 6. Freedom of Information (Fol) request 255/2024 suggests there were no emails received from RPDG Partners in relation to this. 7. Refusing to share a single complaint to support this police view, email dated 29 July 2024. 8. Email received 29 July 2024. We asked that day, be email, what these questions are but never received clarification. 9. Email received 8 July 2024. 10. Email received 20 July 2024 terminated our membership of the RPDG and “thanked the Moorland Association for the loyal service over the years”.

		the police for briefing our members a second time¹² and the equally confusing claim that it was our member of staff, rather than the Moorland Association, which was the RPDG member. The email claims that the police email sent nine days earlier had been “clear” about this point. That is not the case^{9,10}. It suggests that the NWCUCU might have begun to realise its actions were disproportionate. The situation outlined above does not sound fair or proportionate. We feel confidence in the police is being undermined by its own actions with significant detrimental consequences. The actions of the RPDG are undermining its own objective¹³.	11. www.moorlandassociation.org/2024/07/moorland-association-departs-the-bird-of-prey-crime-priority-delivery-group 12. Email received 29 July 2024.
		13. The objective of the police RPDG is to ‘Raise community trust and awareness to facilitate intelligence and incident reporting, leading to increased prevention and enforcement activity relating to Bird of Prey Crime.’ https://www.nwcu.police.uk/how-do-we-prioritise/purpose-process-and-responsibilities-of-a-priority-delivery-group/	