

Why raptor persecution in the Cairngorms National Park is set to continue endlessly

Description



Loch Gynack from Creag Bheag during the reconstruction of the River Gynack overflow channel. There are several conifer plantations, which goshawks favour for hunting, around the loch. Photo credit Parkswatch reader

On 28th June Raptor Persecution UK published a press release from Police Scotland appealing for information after a goshawk nest near Loch Gynack on the Pitmain Estate had been abandoned, apparently after a shot gun attack ([see here](#)). While no-one has yet been charged, this post will argue this was an “incident” waiting to happen and shows up yet more flaws in the Wildlife Management and Muirburn (Scotland) Act 2024.

120 years ago the goshawk was probably extinct in the UK, a consequence of relentless persecution and pesticides. We owe its re-introduction not to the efforts of conservation organisations but to

falconers. As a result a number of escapes, whether deliberate or not, goshawk re-wilded, slowly expanded their range and in the last fifteen years have become increasingly common in the Grampian area, including the Cairngorms National Park. (A similar process enabled captive beavers to recolonise the Tay catchment).

Goshawks are raptors of woodland, not open country, hunt under the tree canopy and favour coniferous woodland. Just as hen harriers will take a lot of grouse, where numbers have been artificially inflated through intensive moorland management, goshawk (particularly the larger female) will take a lot of pheasant, where these have been reared for shooting purposes.



Pheasant pen in coniferous woodland by Loch Gynack overflow (location shown in top photo)

Ten years ago research ([see here](#)) showed that almost seven times more pheasant than grouse were shot in the Cairngorms National Park and pheasant and partridge shooting were also a more important source of revenue (if not prestige) for sporting estates:

Table 3.14 Direct income from sporting land uses on respondent landholdings (n=34)

	Total Income	% of Total*	Average	Median
Pheasant/Partridge	£1,097,262	25%	£121,918	45,000
Grouse driven	£755,668	17%	£53,976	53,976
Salmon	£534,495	12%	£44,541	£6,000
Venison Sales	£500,389	11%	£19,246	£8,741
Deer Stalking	£488,785	11%	£25,726	£12,995
Grouse walked up	£169,302	4%	£14,109	£9,000
Sporting leases	£154,555	3%	£14,050	£5,000
Other	£84,473	2%	£14,079	£11,500
Trout	£84,313	2%	£7,026	£7,026
Total Sporting Income	£4,471,742**		£131,521	£61,100

*Figures do not add up to 100 due to rounding up of figures/removal of decimal places

**Total income figure includes additional unspecified sporting income for two landholdings not included in the income for specific sporting activities

It should have been quite predictable that as goshawk started to colonise the woodland used for pheasant rearing and shooting they would be persecuted. From a sporting estates perspective the fact that goshawk kill pheasant, an introduced species, is far more significant than the fact that they predate corvids, which they allege are responsible for the decline of many other species, and help keep their populations under control.



Injured pheasant outside pen November 2022

Most of the Pitmain sporting estate was historically managed for deer stalking and grouse shooting but more recently it has diversified and rears large numbers of both red-legged partridge and pheasant. These birds are now everywhere around Loch Gynack – I counted dozens of pheasant earlier this year – and it should come as a surprise to no-one that goshawk tried to nest by the loch given the copious source of food.

Equally, it should come as no surprise that someone decided to get rid of them although, just as with every other case of raptor persecution, proving who did it is likely to be an unsurmountable task.

It was precisely because raptor persecution is so difficult to prove that after years of effort by campaigners, the Scottish Government was forced to introduce a grouse moor licensing scheme earlier this year. That is now due to come into operation before this year's grouse shooting season ([see here](#)). Parkswatch has argued that the licensing scheme was always very weak and unlikely to make much of a difference ([see here](#)) and that view has now been confirmed by NatureScot advertising for just 6 new licensing officers, three of them temporary, to manage the scheme ([see here](#)):

Key Responsibilities and Accountabilities

- Processing and issuing protected species licence applications, including assessing applications against the licensing tests and writing Statement of Reasons for issued licences;
- Processing licence returns and licence amendments;
- Assist in dealing with Freedom of Information requests, collating large volumes of requested information accurately and other reporting as required;
- Undertake monitoring to ensure licence holders are complying with the conditions of their licence, and report any licensing breaches to Licencing Manager/ Wildlife Crime Officer as appropriate.

The primary function of the new licensing officer posts appears to be processing paperwork. There is absolutely no way that on top of those requirements three junior staff will be able to monitor sporting estates adherence to the scheme from next year .

What the Gynack goshawk case reveals is another gaping hole in the Wildlife Management and Muirburn Act when it comes to raptor persecution by sporting estates. The licensing scheme at present only applies to grouse and to areas where grouse shooting takes place. This won't make one iota of a difference to the protection of goshawk and sparrowhawk which hunt in woodland. While in theory it could be extended, the Act contains no means for assembling the evidence that might inform such a decision: while Scottish Ministers have to report each year on the number of moorland raptors which are unlawfully killed – peregrine, golden eagle, hen harrier and merlin – there is no provision to report on the persecution of other raptors like goshawk, sparrowhawk, red kite or sea eagles.

That gaping hole in the legislation is likely to become ever more significant for two reasons. First a number of sporting estates, such as Pitmain, appear to be turning away from grouse because there are not enough to feed their shooting appetites. Second, there is a strong financial incentive to increase woodland cover for carbon-offsetting processes, a process being encouraged by the Cairngorms National Park.

Two weeks ago, the Highland Green MSP, Ariane Burgess, made a valiant attempt in the Scottish Parliament to strengthen the weak measures in the Wildlife and Muirburn (Scotland) Act 2024 by introducing three amendments to the Agriculture and Rural Communities (Scotland) Bill at its final reading. The amendments (no 37, 38 and 39 – [see here](#)) would have allowed – not required – Scottish Ministers to:

- 1) rule out specific land uses (such as sport shooting) from getting agricultural subsidies in the future
- 2) end public funding for estates where the primary activity on the land is driven grouse shooting
- 3) ensure that wildlife criminals and irresponsible owners cannot benefit from public funding, including recovery of public grants where someone had been found guilty of a wildlife crime.

Had these amendments been passed and someone from the Pitmain Estate been found guilty of destroying that goshawk nest, that would have would have allowed the Scottish Government to recover

grants they had handed out to the estate in past, including:

Payment Details

Beneficiary Code:

Beneficiary Name: PITMAIN ESTATE LTD

Town/ City: CRADLEHALL BUSINESS PARK

Postcode: IV2

Year: 2022

MEASURE DESCRIPTION	PAYMENT
Investments in physical assets	£6,630.00
Agri-environment-climate	£29,531.74
Basic payment scheme - UK funded	£60,565.18
Greening - UK payments - UK funded	£28,307.38
Other direct aids - UK funded	£12,453.64
Payments to areas facing natural constraints - UK funded	£6,495.80

c£140k for just one year!

Grant clawback might have acted as a real incentive to the managers of Pitmain to ensure that no-one with a shotgun got anywhere near the goshawk nest. Unfortunately, Ariane Burgess was only supported by her own party and Labour, with the SNP and the Tories voting her amendments down.

Given the SNP and Scottish Government's unwillingness to tackle the multiple problems caused by sporting estates, the Cairngorms National Park Authority is in a very weak position. It could still, however, challenge the Scottish Government to deal with these problems at source and support a ban

on the import of non-native game birds, like pheasant and red legged partridge, into the National Park. The CNPA's National park Partnership Plan commits the CNPA to look into this – eventually! It plans to establish how many gamebirds are actually being introduced to the National Park by 2027. How many more goshawk will have been unlawfully killed or had their nests destroyed by then?

Instead of dealing with the real problems caused by land-managers, the CNPA is more interested in trying to control outdoor recreation, as evidenced by the agreement of its Board last week to introduce byelaws to ban camp fires ([see here](#)) but NOT the extensive muirburn that will continue in the National Park as a result of the hopeless Wildlife Management and Muirburn (Scotland) Act!

Category

1. Cairngorms

Tags

1. CNPA
2. grouse moors
3. landed estates
4. NatureScot
5. sporting estates
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