

**DEER MANAGEMENT POLICY VISION
FORESTRY SERVICE
DEPARTMENT OF AGRICULTURE, FOOD AND THE MARINE**

**RESPONSE OF THE NATIONAL ASSOCIATION OF
REGIONAL GAME COUNCILS (NARGC)**



NARGC PROFILE

The National Association of Regional Game Councils (NARGC) was formed in 1968 and since then has grown to be the largest organisation on the island of Ireland involved in game hunting and conservation. It has 28,000 club members spread throughout 984 clubs - a club in almost every parish. It is also a Seanad Nominating Body. NARGC has been the lead organisation in the shaping of many of the legislative changes affecting hunting, shooting and wildlife over the past 20 years. It is the only hunting Association which has taken the Government and Government agencies to the courts to ensure proper compliance with wildlife, firearms and hunting policy and the legislative provisions pertaining. Among the many changes which the Association has been responsible for are the Firearms (Non Residents) Act, the firearms amendments in the Criminal Justice Act 2006, the inclusion of Section 36 in the Wildlife (Amendment) Act 2000 to regulate the activities of tourist shoot promoters and their clients, to mention but a few. In more recent times the NARGC, in conjunction with the Food Safety Authority of Ireland, has developed a course which is accredited to City & Guilds to meet the Trained Hunter requirements of Regulation (EC)853(2004). This regulation has significant consequences for deer hunters who place game meat into the food chain. Hunters who successfully pass the course are certified as Trained Hunters under the Regulation and may sign the statutory declaration when placing game meat into the food chain certifying that the meat has passed the field ante and post mortem inspection. The Association maintains a fulltime office and staff at its headquarters in the Ferbane Business & Technology Park, Ferbane, Co Offaly.

NARGC AND DEER

While the Association's history has been principally rooted in game bird hunting, over the past ten years there has been an increasing number of deer hunters seeking membership, so much so that the organisation changed its Constitution and Rules to accommodate these groups. In more recent years, membership of deer hunters has noticeably accelerated, principally due to disillusionment among deer hunters at the failure of the state and state agencies to come to terms with the problems associated with deer in Ireland and their failure to put in place practical policies and practices to address those problems which are discussed in this submission. Fragmentation and disunity among other deer organisations has also contributed to this sense of disillusionment. Today, NARGC has the largest number of deer hunters as club members - more than any other organisation. The reason for this is that deer hunters have recognised the record of achievement of NARGC over many years on behalf of its members and its ability to get things done. We know this because this is what deer hunters tell us. They see the best hope for their sport and the sustainability and proper management of the species resting with the significant strength and resources of the NARGC. With the development of a strong and united deer section within NARGC the Association has, over the past two years, been examining and monitoring the problems which are endemic in Irish deer hunting and we have observed the situation becoming progressively worse during that period.

THE PROBLEMS AND FACTORS AFFECTING THE ISSUE, AND SOLUTIONS.

While criticism of the National Parks & Wildlife Service and Coillte in particular may not be welcomed at this juncture, it is an inescapable fact that both of these bodies have had primary control over what has been happening with deer in Ireland for the past decades and both have been in the best position to deliver leadership in avoiding any over-population to begin with and secondly, all the problems which have flowed from the perception of over-population whether real or imaginary. There have been acres of column inches in the print media referring to the "out of control explosion" of deer numbers in Ireland. This has been fuelled in no small measure by vested interests "backed up" by so-called scientific reports. Both Coillte and NPWS have also aided this media frenzy by talking up the problems of over-population while doing absolutely nothing concrete to address them. It is ironic that Coillte should have been at the forefront of this frenzy when one considers that the populations of deer have been influenced in no small measure by forestry planting policy and practices over many decades. In addition, NPWS which has statutory

authority in this area, has done nothing to calm the media by acknowledging that the hype about deer numbers is just that. There is no qualitative independent scientific data to support the highly irresponsible claims of deer numbers being out of control. This unchecked media frenzy has done nothing to further a proper debate about developing a best practice national deer management policy. Quite the opposite! It has served only to be destructive by demonising deer as almost vermin, and it has encouraged unregulated hunting and poaching.

In addition, Coillte's urgings on the Minister for Arts Heritage and the Gaeltacht to not only issue lamping licenses to permit the shooting of deer at night - itself an absolute disgrace - but the further "licensing" of the lamping and shooting from vehicles, is scandalous and is indefensible. NPWS should have acted as a blocking mechanism for this instead of facilitating it. In the first place, lamping was originally intended in the Wildlife Acts to be permissible by permit from the Minister solely for research purposes, never for hunting. Furthermore, the discharge of a firearm from a vehicle, (and I have confirmed with personnel in the NPWS their understanding that the lamping from a vehicle permit also implies a permit to shoot from the vehicle), is a criminal offence under the Firearms Acts. There is no ambiguity about this. There are other issues arising from the use of lamps which will be dealt with later in this submission. For this reason alone, many ethical hunters will find the presence of these two bodies at the table to be offensive and it certainly does raise questions about their fitness to lead on the subject.

While these remarks may seem harsh, they are being articulated daily by a great many hunters and the making of them are not confined to deer hunters alone. If we are to seek to address the problems affecting deer and deer management in Ireland, it is essential that all the problems are recognised and discussed, including the credibility of bodies which seek to project themselves as being capable of commanding the respect of the other stakeholders. The past and current behaviour of these two bodies must be examined in the context of how the problems will be addressed in the future, the same as all other issues. If their behaviour and performance is not examined, then there will be little point in making any attempt to retrieve and achieve success because any plan will be constructed on "sand".

POACHING

The Wildlife Act 1976 states in its Title that ***"...it is an Act for the conservation of wildlife (including game)..."***. Therefore all the obligations of the Minister under the Acts as regards the regulation and

conservation of wildlife extend also to game. This is important in the context of the problems which are identified in this submission. The unlawful hunting of deer (poaching) is now at epidemic proportions nationally, but more particularly along the east coast regions, particularly Wicklow. There is ample evidence to support this through reported sightings, evidence of carcasses and gralloch left behind and even the most cursory analysis of records of game dealers. Worryingly, we have also observed in recent times a small number of NPWS personnel involved in commercial hunting in highly questionable circumstances. There are several influencing factors which are driving poaching.

These are:

- a. High unemployment.
- b. High price for venison from game dealers.
- c. Non-existent policing, investigation and apprehension. (NPWS are not alone in shouldering the blame for this. The Gardai, who often decline to respond to poaching incidents, must also share the blame.)
- d. Obvious lack of co-ordination/co-operation between NPWS and the Gardai.
- e. Low penalties imposed by the courts generally on the rare occasions when prosecutions are taken and do succeed.
- f. Ease of getting return of firearms after successful prosecutions.
- g. Consequently, it has become a low risk activity.

Whatever about the large numbers of deer previously claimed to exist, there is a consistency of reports which cannot be easily dismissed coming from hunters, local farmers, hill walkers and others that there is a noticeable decline in the numbers of deer being encountered. While this is by no means science, it nonetheless constitutes credible observations from different interest groups converging in a common conclusion which cannot be ignored. As hunting practices have not changed nationally, it is reasonable to conclude that at least in large measure, the poaching epidemic is having an impact and the previous large numbers of deer reported may no longer be present. It is not unfair to say that the response of the NPWS to this well reported poaching problem leaves much to be desired. While it is accepted that resources are scarce currently having regard to the state of the public finances generally, and this would be a credible excuse for the current poor performance in tackling the poaching problem but for the fact the during the boom years before the financial collapse, the response of the NPWS to the poaching problem was no different. Therefore, NPWS has never developed or responded in any strategic manner to the ever present problem of poaching. If a national strategy for the management of deer is to succeed, it must include a

vigorous response from the statutory authorities to the poaching problem. It is simply not good enough for bodies such as Coillte to state, as they have done previously, that licencees should address the deer poaching issue “on the ground” i.e. they should do their own policing. This is a highly irresponsible piece of advice from a state owned company. In the first place, licencees are not the state’s policemen or wildlife rangers, both categories of which carry statutory authority. Secondly, the circumstances of poaching involve people who have no regard for the rule of law and at the time of poaching are carrying firearms. To suggest that ordinary civilians should interject themselves into such a situation is the height of irresponsibility.

THE SOLUTIONS

TAGGING

The introduction of a national tagging system for deer would go a long way in the first instance to addressing the poaching problem. That is not to say it would be a panacea to cure all ills. It would be but one step towards a solution. The general idea is that tags would be issued to landowner or licencee as the case may be based on a realistic assessment of a cull figure for the particular area. The cull figure can be adjusted season on season based on the previous year’s experience. Game dealers would be instructed to only accept carcasses which are accompanied by a tag. This would probably require an amendment to the Wildlife Acts to ensure compliance. Unfortunately the deer sector does not have a good track record of voluntary compliance. As tags would only be available to those with proof of lawful access to land for deer hunting and would be tied to the cull figure for that land, the possibility of poachers getting their hands on tags for areas where they have no rights would be minute. And as the game dealers would be unable to accept deer carcasses without tags, the commercial outlets for venison shot unlawfully would be closed off to poachers. This would have a very significant impact on the current poaching problems.

The benefits of such a system do not stop at discouraging poaching. Deer hunters will increasingly value deer and their sport simply by being in the possession of tags in the first place i.e. my tags equate to my deer. In conjunction with establishing desired cull figures for an area, different tags for male and female would allow for a better approach to balancing the sexes thereby improving the quality of herds over time.

A tagging system would allow for areas which are subject to genuine damage pressure from deer to be tackled through setting an appropriate

cull figure and issuing tags accordingly. This system would also allow for a proper annual audit of cull performance and where the cull is not met, this could have consequences for the following season. Where culls are met, a system of incentives should be introduced e.g. reduced licence fees or some other such incentive. This would have the overall effect of raising the value of deer hunting as a sport among hunters while isolating the poachers.

A tagging system would also reduce, if not illuminate, the necessity for Section 42 licenses as the number and composition of tags, differentiating between the sexes, should address the proper cull figures and therefore the potential for damage.

CULL POLICY

At present, cull figures are based on unqualified opinion due to the absence of hard scientific verifiable data. For the present there is little can be done about this and we have to work with what we have. However, a proper census by qualified people should be planned and should be implemented over the next few years to establish accurate baseline population and distribution data which will inform future policy and management criteria. This work should be undertaken by independent qualified people, preferably by people who have no previous association with the failed management and census efforts of previous years. What is required is a fresh approach and outlook from independent appropriately qualified scientists. With respect to all, the same faces keep appearing year on year extolling the same old failed policies and they no longer command the confidence of the deer hunting community. Confidence is paramount to getting everyone's support, especially for those decisions which may not be popular but will still have to be taken.

SALE OF GAME

There is an argument to be made that the sale of game by recreational hunters should not be allowed generally - perhaps only under a strict licensing regime. This is the case in some jurisdictions. However, this is not practical in Ireland where there is a long tradition of hunters being able to dispose of some of their bag through the game dealer network. However, NARGC believes that some changes are warranted. We have already discussed the necessity of a tagging system and the desirable impact that would have on poaching by dealers having to effectively verify the lawfulness of the game they accept. Game dealers should also be obliged to obtain and record the PRSI numbers, or some other form of identification for those who offer game to them in return for payment. It is simply not acceptable that literally anyone can sell game to a dealer

without the hunter being identified. This becomes a greater imperative when, as occurs in Ireland, so called “agents” collect up shot deer and sell them on en bloc to some dealers.

SECTION 42 PERMITS AND ASSESSMENT OF DAMAGE

Based on our observations and consultations with a great many genuine deer hunters, it is the view of NARGC that the Section 42 permit system is being widely abused. It is variously being used to simply prolong the hunting season and/or to generate financial gain. While we fully accept that deer do cause crop damage to forestry and to farm crops, there is little or no evidence available of the quantification of that damage. Quantifying damage must be at the centre of all considerations prior to the issuing of a Section 42 permit. We have seen a substantial increase in the numbers of Section 42 permits over the past 6 years. Some will argue no doubt that the increased number of permits is directly related to the increase in the number of deer. This argument is blown out of the water by the absence of qualified assessment of the extent of damage and by the fact that deer numbers have certainly not undergone a similar increase, despite the shrill announcements (again unqualified) of an explosion in deer numbers. The simple fact of the matter is that even allowing for increased numbers, the deer population has not quadrupled over the past 6 years yet the number of Section 42 permits has.

NARGC submits that no person should profit financially from Section 42 licences. Section 42 permits are specifically a tool to address quantifiable damage. It is the view of NARGC that the money from game dealers from carcasses shot on foot of such permits should be payable to an appropriate authority and should be ring-fenced for research which contributes to the better management of the species. There can be no valid argument offered against this as the sole purpose of Section 42 permits is the mitigation of damage, not the prolonging of the season or the generation of profit for the hunter.

Additionally, Section 42 permits should not be issued for the months of May and June when calves are being born.

As mentioned earlier in this submission, in recent times the Minister has been prevailed upon by Coillte to issue Section 42 permits which include not only a permit to lamp deer at night but also to shoot from vehicles. The only term to describe this is scandalous. It may be easier to shoot deer at night with the aid of a lamp but that is hardly the point when one considers the inherent dangers associated with night shooting and the ethics of killing deer in this way. It simply cannot be defended on either

ethical, public safety or legal grounds. It is only a matter of time before someone is seriously injured by a stray bullet at night time. As if to emphasise the danger, there was a recent incident in Wicklow where a bullet went through the side of a vehicle travelling along the road at night time. The system of issuing lamping permits also provides cover for poachers using the same methods.

For the removal of doubt, NARGC totally opposes the inclusion of lamping with Section 42 permits and in addition, the ill conceived permit to include the shooting from vehicles should be abandoned immediately as a bad idea. The true test of whether NPWS will listen to the voice of the stakeholders on this point will be whether they ignore the reality of the illegality involved here. If they do, it will once again fall to NARGC to seek the intervention of the courts to compel compliance with the law. This is not how an NGO should have to do its business and it certainly is not how management of a protected species should be dealt with. This very issue goes to the heart of the credibility mentioned earlier in this submission.

EDUCATION

There is no doubt but that education has the potential to play a major role in the future management policy for deer. However, education is a multifaceted process, the benefits of which should be attainable by every deer hunter irrespective of academic ability. There are many people within hunting generally who possess more knowledge from experience than any academic training could ever deliver. Therefore education must not be embarked upon on the basis of a "one size fits all" academic type scenario. It is being suggested by the Deer Alliance that HCAP should be the determining qualification for anyone seeking a deer hunting permit. NARGC strongly opposes this. The HCAP is the "child" of the Deer Alliance and with respect to all who are involved, the two parties mentioned earlier - NPWS and Coillte - are the principal guiding players in the Deer Alliance. In fact the HCAP was developed originally to satisfy the requirements of just one party, Coillte, which has a vested interest in maintaining the lowest number of deer possible. We have already raised serious issues of credibility attaching to these two parties and to suggest that a course, which has no element of independent assessment and is directed by a body comprised of the very parties at the heart of the failures which have brought us to this juncture, as being the qualifying requirement for the grant of a deer hunting permit is unthinkable and will not be acceptable to NARGC. NARGC has no difficulty with incorporating standards for the granting of all hunting permits but they must be delivered by bodies whose credibility enjoys the support of the end user groups and there

must be an element of independent assessment. These important elements are absent in the case of the Deer Alliance and HCAP.

COMMERCIAL EXPLOITATION

Section 36 of the Wildlife (Amendment) Act 2000 was enacted to provide a regulatory framework for the activities of commercial tourist hunting operators and their agents and guests. It was brought in at the behest of the NARGC in response to a myriad of problems in this sector, much of which is a matter of record. Towards the end of the last millennium, the focus of attention was on game bird hunting tourism. However, in recent years this activity has extended to deer hunting also. Now we are seeing increasing numbers becoming involved in commercial tourist deer shooting, including Coillte, and even some individuals in NPWS, which raises questions of conflict of interest. A small number of NPWS field staff are well known to be involved in organising tourist shooting but nothing is done about it! This issue has been brought to the attention of NPWS in the past and in only one instance that we are aware of, action was taken. But alas it continues. Section 36 remained throughout the past 11 years un-commenced by successive Ministers. The excuse has always been, even during the boom years, that there were insufficient resources to police it. Interestingly, the same excuse offered today in response to pressure to police poaching. The current Minister has agreed to NARGC's request to now commence this Section, thereby bringing a legal framework into being to regulate hunting tourism and this will, despite the lack of resources, contribute significantly to better regulation of this high pressure form of hunting and therefore better possibilities for management of the species.

SAFETY

Safety training would seem to be a fundamental requirement for anyone intending to obtain a firearms certificate, yet there is no legal requirement for such persons to complete a course of relevant duration and assessment for centerfire rifles. NARGC has traditionally provided such courses for shotgun applicants which involves a period of study followed by a day-long seminar followed by an exam. While this is not independently assessed, it does provide a basis on which to build and satisfies the Gardai for shotgun applicants. Given that it now appears acceptable to the national authority that people may shoot deer at night with heavy calibre rifles and illegally from vehicles, it seems incredible that there is no structured safety training of any significance. NARGC recommends that future deer management policy includes a dedicated relevant safety course which is subject to assessment before certification.

RESEARCH

As has been highlighted on several occasions in this submission, the issue of qualitative research on deer populations in Ireland and their negative financial impact is conspicuous by its absence. This is a fundamental issue which should be at the top of the agenda. How can a sustainable management plan be developed for any species if the population is unknown other than that “there are a lot”? The current considerations should also have some focus on how to fund such research. As stated earlier in this submission, any research undertaken should be conducted by fresh perspectives from suitably qualified people.

OVERSIGHT/ENFORCEMENT/PENALTIES

Having the perfect management plan on paper, supported by the stakeholders is pointless unless backed up by vigorous enforcement. The absence of a zero tolerance enforcement policy sends out all the wrong messages from the very body which should be loudest in its condemnation of breaches of the law through a demonstrably tough no-nonsense enforcement policy. We have to arrive at a situation similar to smoking and drink driving where behaviour has been changed through enforcement and significant penalties. We don't need to look beyond these two examples for the answer to the question of how to change behaviour. And it is behaviour which we ultimately should wish to change where it becomes no longer acceptable socially for people to cheat by poaching and engaging in other illegal hunting activities.

RESOURCES

No plan will have a realistic chance of succeeding without adequate resources. To this end all the stakeholders must play their part. The Minister with statutory authority for wildlife must provide a realistic level of funding. It is the Minister who has primary responsibility, indeed he is the sole party with statutory responsibility for wildlife and its conservation as stated in the title of the Wildlife Act and this includes game. If the Minister does not take the lead in the provision of resources how then can he expect other non statutory stakeholders to contribute. We have no doubt that other stakeholders would be prepared, even in these difficult times, to agree a funding framework if they believed the funding would be ring-fenced for the management of deer including research and if the Department with primary responsibility took the lead. Coillte is another body, being a profitable state owned company, which must shoulder a significant portion of the resources required. It is the forestry planting policies of yore, coupled with disinterest and neglect which have created

the difficulties which now must be faced up to and overcome. It is not good enough for these two bodies to sit at the table with empty pockets.

HUNTER GROUPS - ONE VOICE

As stated early on in this submission, part of the reason for disillusion among deer hunters is the fragmentation and disunity among deer groups. This has been due in no small measure to greed which in turn has driven escalating costs of shooting leases and this has been exploited by the forestry interests. Coillte in particular has fostered a culture of escalating price structures to the detriment of deer management and the welfare of the deer. The net effect of this is that local hunters have in many cases been excluded from hunting in their own areas while deer are used and perceived by people who have no stake or roots in the areas where they hunt as nothing more than a forestry product to be exploited in order to justify the price paid for the licence. To redress the balance and deal with the unconscionable prices being charged for licenses and the exclusion of local hunters, deer hunters must speak with one voice. They must speak with one voice on all matters relating to deer, not just on the licence fee structure. To this end NARGC is available and open for other deer groups who wish to affiliate. This has much to recommend it in that NARGC has a long history of acting with a unified voice and it has the strength, the resources and passion to deliver results. It is not afraid to stand up to vested interests and if necessary, the state.

RESPECT

Finally, we collectively have allowed a bad situation to develop by not taking appropriate action sooner, to the extent that now see a great deal of disrespect among a minority of deer hunters for the quarry and the rule of law. This is why voices are being raised in frustration at the lack of action. Unfortunately this disrespect reflects on all hunters and the perpetrators need to be rooted out. It has the capacity to undermine the very basis on which sustainable hunting is founded. Respect for our quarry, respect for the law and respect for each other should be fostered as it would go a long way to resolving all deer management issues

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