

The British Deer Society

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In Northern Ireland

24th February 2010

Mr Sean McCann
Assistant Clerk
Committee for the Environment
Northern Ireland Assembly
Parliament Buildings
Stormont
BELFAST
BT3 3XX

doecommittee@niassembly.gov.uk

Dear Sir

WILDLIFE AND NATURAL ENVIRONMENT BILL

The British Deer Society, Northern Ireland Branch (BDS-NI), has studied the draft Wildlife and Natural Environment Bill and associated Explanatory and Financial Memorandum brought forward by the Department of the Environment relation to proposals to amend the Wildlife (Northern Ireland) Order 1985. BDS-NI now offers comments in relation to those proposals which it considers fall within its remit and authority to provide a response.

The context for this is that The British Deer Society was established in 1963 as a charity registered in Great Britain. As a national organisation, the Society's role is to work to ensure that deer can exist and flourish in the modern United Kingdom environment and that their future and wellbeing is secure for generations to come. In this, the Society is unique within the UK in its ability to represent the interests of the naturally-occurring deer population, particularly where this may be vulnerable to external influences and actions.

BDS-NI was established in 2000 as a regional Branch of the national organisation. Its aim is to work to increase the public's awareness and understanding of deer in Northern Ireland, the importance of maintaining and conserving their position and role within the local fauna through ethically sound management practice, and the need to ensure their welfare is respected by all those who come into contact with them.

It is against this backdrop that BDS-NI has offered comments for consideration by the Environment Committee. These are included in the attached Annex. Should the Committee feel that further information would be useful, the Branch will be happy to provide this, either by way of further written material or by attendance to offer verbal evidence.

Please acknowledge receipt of this document.

Yours faithfully

Charles Canavan
Chairman

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ANNEX

DRAFT WILDLIFE AND NATURAL ENVIRONMENT BILL: BDS-NI INPUT

Clause 1 – Duty to conserve biodiversity

BDS-NI notes the intention to establish a new statutory duty upon government departments and public bodies to take action to further the conservation of biodiversity, to supplement the commitment to protecting and enhancing biodiversity contained in the Northern Ireland Sustainable Development Strategy.

We welcome this provision which should play a key role in conserving the three existing and long established species of deer – Red, Fallow and Sika – which are naturally occurring in the woodland owned and managed by the Northern Ireland Forest Service.

Clause 15 – Discharging firearms, etc, from a vehicle

BDS-NI notes that this clause seeks to relax considerably the provisions of Article 19(3)(b) of the 1985 Wildlife Order which prohibits any firearm being discharged at deer from a mechanically propelled vehicle.

We acknowledge that there may be occasions on which an authorised person might find it an advantage to shoot from the cover of a vehicle. However, BDS-NI is not persuaded that facilitating what should be relatively infrequent occurrences should outweigh the potential disadvantages arising from persons who are not authorised making full use of such an easement to pursue practices which are unacceptable and, in all probability, illegal.

That such practices may already be addressed by legislation is no reason to facilitate them in this way, given the seriousness of the implications. For example the poaching of deer is a serious problem in Northern Ireland and raises fundamental and significant welfare issues as animals are often shot and wounded. Unsurprisingly, poachers have no interest in ethical and humane practices and where this happens the deer are invariably abandoned rather than being followed-up and dispatched humanely. While legalising the shooting of deer from vehicles may be well intentioned, an unintended consequence of this provision is likely to result in aiding and abetting wildlife crime.

BDS-NI does not support this proposal, which it considers unnecessary.

Clause 16 – Licences relating to deer

Shooting during the close season

From a deer welfare perspective, BDS-NI considers the close season to be of utmost importance to ensure that deer are adequately protected during the breeding season. The Society also acknowledges that the deliberate inflexibility of a close season may, in exceptional circumstances, create a tension in relation to addressing issues referred to in the proposed replacement for Article 19, paragraph (2), namely:

- (i) Preserving public health or public safety;
- (ii) Conserving the natural heritage; or
- (iii) Preventing serious damage to property.

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We note that the proposals include a list of requirements which must be met by an applicant for the Department to consider granting a licence to cull deer during the close season and that the licence itself would be specific in stating precisely:

- (a) The purpose for which it is granted;
- (b) The land to which it relates;
- (c) The species and descriptions of deer to which it relates;
- (d) The period, not exceeding two years, for which it is valid; and
- (e) In the case of a licence under paragraph (2), the method by which the licensee may take or kill deer.

We welcome the effort which the Department appears to be making to ensure that such licences are not granted lightly. However, there is nothing to suggest that this includes any consideration of whether an applicant is suitably qualified to undertake the humane culling of deer at any time, and particularly during the close season.

The British Deer Society may be considered the leading body responsible for delivering training in deer management matters, including the culling of deer to the highest ethical and humane standards, where this needs to be undertaken. The qualifications gained through this training are nationally recognised throughout the UK.

BDS-NI would therefore propose that the draft Article be amended to make provision for an applicant for a licence to be 'suitably qualified'. In effect, this should be set at Deer Management Qualification Level 1 as an absolute minimum. In addition to being nationally recognised, this also has the advantage of being accepted by the PSNI as a requirement for a Firearms Certificate Holder to hold and use the type and calibre of firearm legally required for the culling of deer.

While it is likely to be inappropriate to seek to specify the nature of such qualifications in primary legislation, making provision for an applicant to be 'suitably qualified' would enable the matter to be addressed in guidelines to the operation of the legislation, once enacted.

Clause 26 – reduction in close seasons for female deer

We note the intention to substitute 30 September for 31 October where it appears in Schedule 10 of the Wildlife Order. BDS-NI asked for this change when making our original submission in response to the consultation process in 2008.

However, we have subsequently obtained updated veterinary advice on this matter and this reflects evolving thinking in relation to the circumstances in which there is no option but to cull a number of female deer within the currently defined close season. There is now a significant body of opinion which supports an extension of the open season for female deer from 28 February to 31 March, from a currently unchanged start date of 31 October.

While BDS-NI had previously expressed reservations on this matter, we respect the views now provided by veterinary professionals and should a case be made to revert to the revised extension as indicated above, we would offer no objection.

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Clause 32

BDS-NI notes the deregulatory intention of this clause, which seeks to remove existing restrictions to reflect modern refrigeration facilities and food handling standards. However, as already indicated, deer poaching is a growing problem, and increasingly associated with the issue of venison of questionable origin and, by association, subject to significantly sub-standard food handling standards, entering the food chain. We understand that such venison can find its way into food products offered by a variety of pubs, hotels and restaurants which are not averse to procuring such meat at modest cost from informal and irregular sources.

This is a matter which is capable of being addressed through the introduction of a traceability scheme equivalent to that which is already in place in respect of other meats. While this may not be within the direct authority of the Wildlife and Natural Environment Bill, consideration should be given to this matter to determine whether provision could be made in principle. Such an approach would be aimed at facilitating the appropriate amendment of other legislation to ensure that the handling of venison is accorded equivalent status to high volume everyday meats, in the interests of addressing food standards and associated public health issues.