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Three men fined over killing of otter found dumped in bag

Trio who were working as gamekeepers convicted over animal's death in Co Waterford

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[Barry Roche](#)



A conservation ranger told Youghal District Court that he found a dead otter with other dead animals dumped in bags at Ballynatray Demesne in Co Waterford on September 14th, 2017. File photograph: Alan Betson

The Department of Heritage has welcomed the successful prosecution of three men over the illegal killing of an otter that was found dumped in a bag in Co [Waterford](#) in 2017.

The three men, who were working as gamekeepers at the time of the incident, appeared before [Youghal](#) District Court earlier this month.

The department's prosecution followed an investigation by [Conservation Ranger Brian Duffy](#), of the National Parks and Wildlife Service, into the killing of the otter, which is a protected species.

Mr Duffy told the court that he found a dead otter with other dead animals dumped in bags at Ballynatray Demesne in Co Waterford on September 14th, 2017.

The area concerned is in the [Blackwater](#) River Special Area of Conservation which is designated under law for a range of habitats and species including otters and when Mr Duffy discovered the otter had been shot, he began an investigation.

[William Kett](#) from Viewmount Drive, [Stradbally](#), Co Waterford, denied that between September 1st and September 14th, 2017, he shot an otter at Ballinatrach Demense contrary to Section 23 (5A) of the Wildlife Act 1976.

Kett did not go into evidence at his trial but his lawyer said it was an accident which happened after his client was asked to carry out pest control to protect ducks in the estuary and he had mistook the otter for a fox in the darkness.

Mr Duffy said the incident occurred in a wetland and Kett and his co-accused, Daniel Kubiena and [Mark Casey](#) would have known that otters were often in the area.

Judge [Marie Keane](#) said she did not accept the explanation offered by Kett and that it was a disgraceful and outrageous offence carried out by people who were meant to have some knowledge and understanding of game keeping.

Kubiena of Cnoc Aoibhinn, Cork Hill, Youghal, pleaded guilty to aiding and abetting Kett between September 14th and 19th by possessing, whether dead or alive, an otter contrary to Section 69 (1) of the Wildlife Act 1976.

Kubiena also pleaded guilty to a second offence that on November 3rd, 2017, in [Cobh](#), Co Cork, he gave information to Mr Duffy that he knew to be false. He had told Mr Duffy he was not present at a burial site and never saw a dead otter at [Baillinatrach Demesne](#).

Mark Casey of [Ballinatrach Demesne](#), Co Waterford, pleaded guilty to aiding and abetting Kett by possessing an otter, whether dead or alive.

Convicting Kett of killing the otter, the judge fined him €500, while she fined Kubiena €350.

The judge noted Casey's guilty plea on the aiding and abetting charge but she adjourned sentencing until September 6th to allow him pay €250 to the Irish Wildlife Trust by that date or face a €350 fine.

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