



Photo: Niall Sargent

## Two men found guilty of hedgerow destruction during nesting season

May 14th, 2019

Two men in Co Laois have been found guilty and convicted under the Wildlife Act for hedgerow destruction during the nesting season.

The case was brought forward by the National Parks and Wildlife Service (NPWS) earlier this month. The two men were convicted of four offences under the Wildlife Act.

The offences included the wilful destruction of birds' nests and the destruction of vegetation growing in a hedge on dates between 22 and 27 May 2017 in Clogrenan, Co Laois.

The Wildlife Act currently restricts the cutting, burning or destruction of vegetation on uncultivated land or in hedges or ditches during the nesting and breeding season for birds and wildlife from 1 March to 31 August.

The Heritage Act supported by Department for Heritage – under which the NPWS currently sits – passed into law last year and calls for a [nationwide pilot measure](#) for managed hedge-cutting of roadside hedges during August.

According to data released to *The Green News* under Access to Information on the Environment regulations, the NPWS has brought over 30 cases linked to illegal hedgerow cutting or removal since 2010.

This account for a little over 15 per cent of cases brought by the service between 2010 and 2018, with other cases involving the likes of illegal hare coursing, bird trapping and tree removal.



Hedge cutting near Hever, England Photo: Nigel Chadwicl

### **Over a mile of destruction**

NPWS Conservation Ranger Kieran Buckley presented evidence at Carlow District Court which showed that one mile of hedgerow vegetation had been destroyed, which contained blackbird, song thrush, wren and wood pigeon nests.

The two defendants argued that they were not aware of their presence in the hedgerow and stated that they didn't know it was an offence to destroy hedgerow vegetation during nesting season.

They also stressed that it was a defence to remove hedgerow vegetation in the ordinary course of agriculture.

Judge Colin Daly, who presided over the case, disagreed and noted that the evidence presented during the trial showed that destruction of vegetation was very significant and outside of the ordinary course of agriculture due to how it was carried out.

The first defendant was fined €750 on two counts as he was the landowner of the property and Judge Daly found him to have the greater culpability in the case. The second defendant was charged on two counts and fined €500.



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### **Biodiversity haven**

According to conservation groups, the Wildlife Act is essential to protect breeding birds and other wildlife of uplands and hedgerows that provide food for numerous species of birds, bees, and butterflies all throughout spring and summer.

Hedgerows also provide nesting grounds for late breeding species such as the endangered yellowhammer, as well as acting as carbon sinks and alleviating flooding.

“Hedges are of exceptional importance as habitats, particularly for birds but also for wildflowers, shrubs and trees and provide food and shelter for birds and other wildlife and enhance the diversity of nature in our countryside,” according to Emma Higgs of Wildlife Rehabilitation Ireland.

Ms Higgs told *The Green News* that she is pleased that the agricultural argument put forward by the defendants “does not work every time”.

In December, [a man was prosecuted in Limerick](#) for the possession and offering for sale of 26 leg hold traps at Newcastle West court.

The prosecution case was also brought forward by the NPWS as the traps, nine having serrated edges, are prohibited under the Wildlife Act.

### **About the Author**



## **Kayle Crosson**

Kayle is a multimedia journalist focused on climate and environmental issues and contributes to The Irish Times and The Green News.