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Three men found guilty of offences under the Wildlife Acts

In Youghal District Court on 7 June last three individuals were convicted of illegally killing an otter at Ballynatray Estate in Co. Waterford in September 2017 contrary to the Wildlife Acts.

The case appeared before Judge Marie Keane and was taken by the Department of Culture, Heritage and the Gaeltacht. A man pleaded guilty to hunting a protected wild animal (otter) contrary to Section 23 of the Wildlife Acts and was convicted and fined €500. A second man pleaded guilty to aiding and abetting in the commission of an offence and also to giving false information to an authorised person contrary to Section 69 of the Wildlife Acts, he was convicted and fined €350. A third man pleaded guilty to aiding and abetting in the commission of an offence but the Judge withheld this conviction on condition that he pays €250 to the Irish Wildlife Trust before 6th September 2019. All three men were working as gamekeepers at the time.

Conservation Ranger Brian Duffy of the National Parks and Wildlife Service of the Department gave evidence that on 14th September 2017 he found a dead otter at Ballynatray Demesne dumped in bags with other dead unprotected animals. Otters are protected under the Wildlife Acts and also under the European Communities (Birds and Natural Habitats) Regulations 2011. 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. The otter had been shot and an investigation was carried out. An individual came forward and made a statement admitting to shooting the otter but claimed it was an accident and that he had mistaken it for a fox in the darkness.

None of the accused men gave evidence but their defence said that it was an accident and that the incident occurred after the first man was asked to carry out pest control to protect ducks which were being kept there. Conservation Ranger Duffy said the incident occurred in a wetland adjoining an estuary and that the men would have known otters occurred there. Judge Keane said she did not accept the explanation offered, that it was an outrageous and disgraceful offence carried out by people who were meant to have some knowledge and understanding of game keeping and she found them guilty.