

Open Seasons Order: A review of submissions made to the consultation process, the survey replies and notes of the public meeting; and recommendations

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This paper is in response to a request from NPWS dated 6th July 2023 to:

- Review and provide commentary on the 2,500 (approx.) responses to the online survey on the Open Seasons Order, and the outcome from the public meeting held in Dublin on 21 April 2023
- Develop recommendations arising for same for consideration by NPWS and the Minister, in terms of species and periods to be listed on the OSO
- Based on themes arising throughout the consultation, outline in your view what capacity needs to be built across the sector, to include NPWS and wider stakeholders, to put the Open Seasons Order on a more assured footing. Such recommendations may include, but are not limited to, actions relating to data returns, collation and analysis (relating to bird species and habitats), development of an education programme

1. Submissions made, and public meeting:

For this review, submissions/presentations made by the following organisations were considered:

BirdWatch Ireland, FACE, the Heritage Council, the Irish Country Sports Association (ICSA), the National Association of Regional Game Councils (NARGC), and the Snipe Conservation Alliance. Country Sports Ireland’s contribution at the public meeting were also considered.

The NPWS record of the meeting was examined carefully.

There is a strong common thread through the submissions that

- all parties should work together
- that there is a pressing need for good quality, current data on bird populations and hunting activity (including bag returns) and good quality analysis of these data. There is a significant deficiency of data on some species, notably snipe, jack snipe and woodcock; and no systematic collection of bag returns
- that habitat degradation/loss is a key issue
- that disturbance (other than hunting) is a key issue
- that climate change is also a key issue and, in some cases, causes species to migrate less far south and so not reach Ireland
- there is a need for species management plans, at various geographic scales, and site management plans

The accuracy and interpretation of IWeBS and related data is considered high quality by some of the key actors, such as NPWS, other State bodies and Birdwatch Ireland (who are participants in the production of the data) but it is not as well regarded by hunting bodies. BirdWatch in their

presentation have carefully spelled out the rationale, methods and limitations of the methodology and use peer-reviewed journals to publish their findings. However, this appears not to have convinced hunters of their reliability.

The data from IWeBS and other surveys inform Ireland's report to the EU under Article 12 of the Birds Directive. This in turn is used to produce an EU level assessment of the breeding and wintering populations.

The same data feed into the list of "Birds of Conservation Concern in Ireland", published periodically for the island of Ireland by Birdwatch Ireland and the RSPB. Its current assessment includes 8 red-listed and 6 amber-listed species that are huntable and on the Open Seasons Order. The amber list includes Mallard, Teal and Wigeon, and hunters dispute such an assessment.

The presentation to the public meeting by the European Federation for Hunting and Conservation (FACE) looked at the EU status of OSO species and in particular the wintering status. Many of the species are considered threatened overall but are considered "secure" in their wintering status at European level. FACE quoted other reputable data reports, notably from the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA). The most recent report indicates a less drastic picture of certain species that nonetheless have suffered serious declines in Ireland.

NPWS and FACE both drew attention to the work of the new EU Task Force on the Recovery of Birds. The EC has initiated a new process aiming at dealing with huntable species in unsecure status, the importance of survival for the population dynamics and the impact of hunting on survival. FACE also raise the important question of whether hunting is demonstrated to be an important factor in the population dynamics of quarry species.

Returning to the need for collaboration, the hunting clubs and bodies put much emphasis on their conservation role and the practical work carried out for conservation. It is very evident that most hunters have a genuine interest in conservation of habitats to support the species they hunt, and many are prepared to carry out practical work to that end.

Other suggestions raised in the submissions and the meeting include:

- A commitment for a regular review of the Open Seasons Order
- Provide within Open Seasons Order framework for a rapid response to extreme cold periods in winter when birds should not be hunted
- Set up the Wildlife Advisory Council (after a break of many years)
- Research into the effectiveness of Wildfowl Sanctuaries and consideration of new ones
- Change season for Common and Jack Snipe 1st October and closing on 31st January to avoid hunting resident Snipe and allow the wintering population time to disperse through the country
- Encourage Gun Clubs and individual hunters to introduce daily and seasonal bag limits on Snipe and to exercise restraint on hunting Snipe during prolonged cold and adverse weather conditions

2. The Survey

The survey was carried out by questionnaire. It attracted much criticism, particularly from the hunting representative bodies. However, there was a substantial response and there are some interesting points emerging.

There were 2,559 responses.

71% of respondents are members of a hunting club or body

1,033 respondents submit bag data, i.e. 57% of hunting members

1,457 (57% of total) respondents think there should NOT be changes to Open Seasons Order.

1,303 of these were hunting club/body members.

693 (27% of total) think there should be changes to Open Seasons Order. 230 of these were hunting club/body members.

313 (12%) were unsure or had no opinion. 239 of these were hunting club/body members.

1,698 respondents are involved in survey/research or habitat management and/or restoration. At least 1,437 of these are members of a hunting club or body.

The most hunted species, as reported, are cock pheasant, woodcock, mallard, snipe, woodpigeon and teal, in that order. The least hunted are ruddy duck, scaup, pochard, goldeneye, golden plover and gadwall, in that order.

48% of respondents noticed a decline in species on the Open Season Order but there seemed not to be strong observations on which species: only snipe was mentioned by more than 20%; red grouse, woodcock, cock pheasant, jack snipe and golden plover were seen as declining by 15%-20% of respondents.

An almost equal number of respondents (47%) noticed an increase in Open Season Order species, the top 5 species mentioned being woodcock, mallard, woodpigeon, cock pheasant and snipe, in that order.

3. Key Challenge

The key challenge is to achieve meaningful conservation actions for species whose populations have declined dramatically in Ireland, while harnessing the very positive energy that exists in disparate groups who have a passion for birds and/or hunting, often both.

4. Recommendations:

1. Retain 17 of the 21 species on the Open Seasons Order. Remove scaup, pochard and goldeneye from the Open Seasons Order for 2023/24 because of the very great decline in their numbers in Ireland. Remove also the pintail, due to the very small numbers and uncertainty around the effect of hunting on the population at this time.
2. Give notice that this is for 2023/24, and there will be further review in the year with possible further changes next year, which could be either inclusions or exclusions, or both.
3. Address the evidence base.

Enable a) the systematic collection of hunting statistics; b) the collection and analysis of population data on all huntable bird species (prioritising Open Seasons Order species but to include other species that may be controlled for reasons other than hunting).

Prioritise evidence for 5 species: the red grouse¹ and golden plover², whose populations have declined very rapidly, and the 3 very data-deficient species i.e. common snipe, jack snipe and woodcock.

4. As soon as more biological and hunting data are available on golden plover, snipe and jack snipe, provide an analysis to a) support decisions on the start and end dates of open seasons for these species and b) on the sale of snipe and jack snipe
5. Commence the prioritisation of species and/or key site management plans,³ taking note of outputs from the EU Task Force on the Recovery of Birds.

In parallel, devise a project to secure EU LIFE funding to address management of declining species on the Open Season Order. LIFE projects have been highly successful at addressing complex problems, largely because they have a team of staff with a very clear focus on a defined set of tasks.

¹ A national Red Grouse Survey was to be completed in 2022 but there is no update information apparent on npws.ie.

² The golden plover has suffered a considerable decline. However the survey results indicate that this species is one of the least hunted birds and there is not a strong case currently to remove it from the Order or to shorten the hunting period.

³ Management plans were not part of the brief for this piece of work; however, putting the Open Seasons Order “on a more assured footing” is inextricably linked with management of the species and the habitats/sites on which they depend. This is an area in which the State has achieved little progress over many years, and it requires specific focus and resources if this is to change.

Also in parallel, analyse the Red Grouse Species Action Plan (2013) and its implementation to identify strengths and, weaknesses in both; and use that analysis to inform a programme of effective species action plans.

6. The NPWS review by Prof. J. Stout and M. Ó Cinnéide recommended setting up a **Nature Advisory Committee**. This is mirrored by the NARGC's call for restoration of the Wildlife Advisory Council; but neither appear to be part of the current NPWS strategy. A LIFE or other project could be used to build collaboration between Government bodies, hunting organisations and bird conservation groups. However that would take time, therefore, and in any case, put in place a structure for regular meetings with the main hunting bodies.
7. Examine whether the provisions of section 30 of the Wildlife Act, as amended, that concern Foreshore Licences (or permissions), may be better used to manage or protect species, and also evaluate the data acquired from bag returns.
8. NPWS should publish the Birds Directive Article 12 reports with a simple and attractive overview document, along the lines they publish the Habitats Directive Article 17 report. The Article 12 Birds report should be Ireland's principal statement on the status of birds but remains largely hidden; currently that role is taken by the BOCCI.
9. NPWS should update and upgrade the website npws.ie, for example to make it easy to navigate to key reports and ascertain information about organisation and staffing.

5. Further considerations and recommendations on hunting statistics

To have a properly informed hunting policy, the national authority, i.e. NPWS, needs to know how many birds are shot, in what months and in what parts of the country, and by how many hunters.

The acquisition of hunting statistics for bird species has never been attempted by the State and will be a considerable task. It is recommended therefore that NPWS commission a short study on this work in a small number of EU member states, for example Denmark, which has been active in this area for many decades.

The number of hunters is not readily available; NARGC states it is the largest voluntary game hunting body and that it has 25,000 members, but they are one of several hunting bodies. NARGC has for many years advocated for the need for bag returns.

A game-hunting licence is included with each license for a shotgun issued by An Garda Síochána but it almost certainly will fall to NPWS to gather statistics on hunting and bag returns. This could be done initially by a system of voluntary reporting that could be managed by the NPWS in cooperation with the hunting organisations. If necessary, a legal requirement for bag returns to be made by individual hunters each year, in parallel with the gun-licensing system, could be introduced.

Either option will require consultation with hunting bodies. It will require careful analysis, at the outset, of current hunting activities (including tourist hunting) and scientific requirements. This should be followed by IT development and provision of databases, apps and website. Much of this could be carried out by the Department's IT Division in parallel with other licensing design functions. The system should also provide for collection of data on species listed in Wild Bird Declarations rather than the Open Seasons Orders.

When the IT products are in place, it will then be essential to work with the hunting organisations to conduct a promotion campaign to introduce hunters to the data collection app and to encourage wide-scale return of hunting statistics.

The validation and analysis of the data will require resourcing to be carried out once the system is in place.

6. Capacity

There are capacity issues affecting the provision of fit-for-purpose scientific data and acquisition of hunting statistics. Both are required on a regular basis into the future. Previous experience shows us that this would be most successful if tackled on a project basis with dedicated team members and budget.

Even if most of the scientific survey work is contracted to external providers, the design and tendering phase, the supervision of contracts and in particular the provision of advice on both bird population data and hunting statistics will be time consuming. Three of the species that require prioritisation are poorly understood because of the difficulty of survey and this will impact the requirements for teamwork and budget. Therefore, it is recommended that 2 fulltime staff with appropriate skills be assigned to the task for an initial period of 2 years.