

DÁIL ÉIREANN

AN COMHCHOISTE UM THALMHAÍOCHT, BIA AGUS MUIR

JOINT COMMITTEE ON AGRICULTURE, FOOD AND THE MARINE

Dé Máirt, 14 Iúil 2015

Tuesday, 14 July 2015

The Joint Committee met at 2 p.m.

MEMBERS PRESENT:

Deputy Martin Ferris,	Senator Mary Ann O'Brien,
Deputy Martin Heydon,	Senator Pat O'Neill.
Deputy Éamon Ó Cuív,	
Deputy Willie Penrose,	
Deputy Thomas Pringle,	

In attendance: Deputies Noel Harrington, Anthony Lawlor, Michael McNamara and Denis Naughten and Senator Trevor Ó Clochartaigh.

DEPUTY ANDREW DOYLE IN THE CHAIR.

The joint committee met in private session until 2.20 p.m.

Scrutiny of EU Legislative Proposal

Chairman: COM (2015) 294 is an EU proposal for regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy. It is proposed that this proposal does not warrant further scrutiny. Is that agreed? Agreed.

National Strategic Plan for Sustainable Aquaculture Development: Discussion (Resumed)

Chairman: I remind members and witnesses to turn off their mobile telephones. I welcome Dr. Gregory Forde, head of operations at Inland Fisheries Ireland and Dr. Paddy Gargan, senior research officer at Inland Fisheries Ireland, and thank them for coming before the committee to discuss issues concerning the national strategic plan for sustainable aquaculture development.

I advise the witnesses that they are protected by absolute privilege in respect of their evidence to this committee. If they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given. They are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or persons or entity by name or in such a way as to make him, her or it identifiable. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or any official by name or in such a way as to make him or her identifiable.

Dr. Greg Forde: I apologise for the absence of Dr. Ciaran Byrne, the chief executive officer, who is on annual leave. He would have loved to have been here today. I know the committee has much business to do so we will get through the opening statement and then be open to questions that arise.

We are grateful to have the opportunity to address the committee on the important topic of the draft strategic plan for sustainable aquaculture development. Inland Fisheries Ireland was established on 1 July 2010, following the amalgamation of the central and regional fisheries boards. The agency was established under the Inland Fisheries Act 2010, with many of its powers deriving from the principal Act governing the sector, the Fisheries (Consolidation) Act 1959. The main functions of Inland Fisheries Ireland as identified in the 2010 Act are “to promote, support, facilitate and advise the Minister on the conservation, protection, management, marketing, development and improvement of inland fisheries, including sea angling”.

It is important to note that protection and conservation of the inland fisheries resource in-

cludes the important migratory species in the sea, in particular the Atlantic salmon and sea trout. These responsibilities were also part of the primary functions of the central and regional fisheries boards, established in 1980, and the boards of conservators and the Inland Fisheries Trust before that. Salmon fisheries in the marine, estuaries and fresh water are an important asset of the State that yield considerable revenue through angling in particular. Inland Fisheries Ireland will, in the course of the next week, be making its own submission in respect of this consultation but it is important for us to identify the key areas where we believe the committee may find it useful in making observations on the documents currently proposed by the Minister or in clarifying the areas where Inland Fisheries Ireland has concern and the reasons for this concern.

The angling resource in the country has long been undervalued - a recent economic assessment identified that this industry is worth some €755 million annually to the national economy and supports approximately 10,000 jobs. The impact of this socio-economic dividend is largely of benefit to peripheral and rural communities, often where alternative income-earning opportunities can be limited, and the safeguarding of these areas in terms of their earning potential from angling tourism should be a priority. Rural communities benefit most from small labour-intensive ventures rather than large industrial-sized operations. The current consultation is specifically about the sustainable development of aquaculture and this opening statement attempts to identify the key issues of interest and concern to Inland Fisheries Ireland that may assist the committee.

Licensing is a key issue. The current licensing system has proven problematic but Inland Fisheries Ireland is conscious of the environmental issues that must be considered by the licensing authority in developing a sustainable industry. Inland Fisheries Ireland supports the sustainable development of the aquaculture industry; the word “sustainable” is key and specifically encompasses sustainability of the development from an ecological as well as financial point of view. The area of particular concern to Inland Fisheries Ireland is the need to ensure that any aquaculture development does not have a deleterious effect on other industries, such as the valuable salmon and sea trout tourist angling industries. Inland Fisheries Ireland would welcome reform to the aquaculture licensing process. Where existing licences are in place and where these have an effect on the wild fisheries, the licence process must be capable of phasing out these sites and selecting alternative sites that do not impact on wild fisheries.

A second important consideration in the reformation of the licensing system is to separate the processes of licensing and regulation. It would be preferable if these responsibilities were not within the same Department. The licensing section should remain under the parent Department and the regulation or enforcement remit should be under a different State agency. The regulatory agency should be appropriately mandated to transparently enforce the licence conditions. This would also help the licence operators and wild fish interests know the rules within which the industry operates. Similarly, in the view of Inland Fisheries Ireland, it is unwise for the State to be the licence applicant in a commercial aquaculture venture.

Inland Fisheries Ireland is aware that escapes from salmon farms into the wild are primarily the consequence of an unplanned catastrophe. The licensing system should include the creation of an emergency fund to facilitate the recovery or clean-up of the consequences of any such events. This could include the recovery or removal of escapees from local rivers by the competent authority, as well as any other environmental clean-up, such as removal of mortalities from the sea bed. The current system of licensing includes a series of protocols. The code of practice for pest control is not, in the view of Inland Fisheries Ireland, adequately robust to ensure the protection of wild sea trout and salmon smolts from lice from marine salmon farms.

This will be dealt with later by my colleague. It is recommended that the enforcement regime should include a series of incremental penalties for persistent breaches of licence conditions.

Inland Fisheries Ireland favours the development of closed containment recirculatory land-based systems for the farming of Atlantic salmon, as this ensures all outputs can be managed and controlled. Inland Fisheries Ireland acknowledges that the technology may not yet be at a sufficiently commercial scale but recommends that adequate funding should be provided to assist in developing this aspect of the industry. Over time, Inland Fisheries Ireland would welcome a gradual move towards onshore recirculation sites and a phasing out of open pen facilities to ensure the protection of the wild salmonid stocks.

On the mollusc side, Inland Fisheries Ireland believes that small-scale mollusc aquaculture activities best suit rural communities that have farming and fishing as part of their existing core skills. The development of these activities still have very significant potential and these are both low-impact and labour-intensive. With oysters, Inland Fisheries Ireland notes that disease in the wild oysters has reduced the wild oyster stock in many bays around the country. The development of farming the Pacific oyster has unexpectedly led to this non-native species becoming feral in Lough Swilly. Acknowledging that the wild oyster stocks in most parts of the country remain in trouble, Inland Fisheries Ireland recommends that any farming of the Pacific oyster is done in an enclosed regime, with bags and trestles, using triploid stock. This will prevent it becoming established elsewhere in the wild. In areas such as Lough Swilly where they have already become established in the wild, provision should be made to remove the Pacific oysters. This must be done in line with the requirements of the National Parks and Wildlife Service.

The issuing of aquaculture licences in areas where established wild mollusc fisheries exist has also raised concern. Any plan for the sustainable development of the industry should include provision for the surrender of aquaculture licences where they conflict with wild mollusc beds and their replacement by a licence on a different, new unlicensed site.

I will hand over to my colleague, Dr. Gargan.

Dr. Paddy Gargan: Inland Fisheries Ireland has been concerned about the negative impact of salmon farming on wild sea trout and salmon stocks since the 1980s. Sea lice derived from local marine salmon farms causing lice infestation on sea trout stocks have been a particular concern. Many of the sites chosen in the early days of salmon farming were in shallow bays, close to river mouths. These were not suitable locations for farming salmon from a wild fish perspective. While there has been some improvement in sea lice control recently, some existing locations remain a threat to wild salmonid stocks owing to their proximity to rivers.

The best documented sea trout angling fisheries were in the Connemara area. Salmon aquaculture began to develop in bays in the mid-west in the early 1980s and approximately 7,000 tonnes of farmed salmon were being produced annually by the end of the decade. At the same time as the development of salmon farming in western bays, heavy sea lice infestation was observed on sea trout returning to rivers. This has been linked to the development of marine salmon farming in the west at that time, with sea trout stock collapses recorded in these rivers in the late 1980s. I refer to the graph of sea trout rod catches for the Connemara area for the years from 1974 until 2014, which shows a catastrophic collapse in the catch by anglers in the late 1980s. The stock has never recovered to the levels seen before it collapsed and angling tourism for sea trout is now only a fraction of what it was before the collapse.

With regard to scientific evidence of the impact of sea lice on wild stocks, scientific studies have demonstrated that sea lice from marine salmon farms, when not adequately controlled, can have a serious impact on local sea trout stocks. Sea trout are especially vulnerable to salmon lice infestation because, in the sea, they remain feeding and growing in coastal waters where salmon farms are located. A major review of more than 300 scientific publications was published by the Norwegian Institute for Nature Research, NINA, in 2014 on the effects of sea lice on sea trout stocks. Scientists concluded that sea lice have negatively impacted wild sea trout stocks in salmon farming areas in Ireland, Scotland and Norway. The report noted that in farm-intensive areas, lice levels on wild sea trout are higher and elevated lice levels on wild sea trout are found, in particular, within 30 km of the nearest farms, although the distance can also extend further.

The NINA report also examined the potential effect of sea lice on salmon. Results show that mortality due to sea lice on juvenile salmon at sea can, on average, lead to a decline of between 12% and 29% in the number of salmon spawning in rivers. It is clear from this report that sea lice from marine salmon farms can have a serious impact on the survival of both wild sea trout and salmon.

The Marine Institute monitors sea lice levels on marine salmon farms on a monthly basis. According to the 2014 report on sea lice monitoring, sea lice levels on farmed salmon increased in 2014 compared to 2013. In 2014, some 29% of sea lice inspections were above the treatment trigger level compared to 18% in 2013. According to the 2014 report, many factors have contributed to these increases. These include challenges to fish health, husbandry practices and treatment efficacy. From a wild fishery perspective, the current control of sea lice levels on marine salmon farms is not adequate at some sites and trigger treatment levels need to be based on total salmon farm production in the relevant areas. Inland Fisheries Ireland has consistently called for the introduction of a total bay sea lice cap, which sets a limit on the lice production level in a bay. This concept should be introduced in the new proposed strategy for sustainable aquaculture development.

Protracted harvesting of salmon has also been identified by Inland Fisheries Ireland as a factor militating against effective sea lice control as sea lice treatment is generally not undertaken during harvesting.

With regard to scientific evidence of the impact of escaped farm salmon on wild stocks, there is a large body of published literature on the negative interaction of farmed and wild stocks. Large-scale experiments showed highly reduced survival of salmon which have interbred with escapees when compared to wild salmon. In Ireland, official statistics indicate that approximately 415,000 salmon were reported to have escaped from salmon farms in coastal waters in the period between 1996 and 2004, with an annual range of between zero and 160,000 fish. In February 2014, some 230,000 salmon were reported to have escaped from a single salmon farm in Bantry Bay. Therefore, the proposal in the strategic plan for sustainable aquaculture to increase farmed salmon production, with maximum biomass on individual farms of 7,000 tonnes, poses a potential threat to wild salmon populations. This threat is particularly great when the small number of wild salmon in rivers - in some cases as low as a few hundred - is compared to the potential level of salmon farm escapes, which could reach hundreds of thousands.

I will now refer to the guiding principles for the sustainable development of aquaculture in the draft national strategic plan. Inland Fisheries Ireland supports the six guiding principles recommended by the Marine Institute for the sustainable development of aquaculture. Responsible planning to ensure that the overall development of aquaculture and the siting of individual farms are compatible with other uses and the responsible management of the marine environment, as set out in Principle 1, is an important guiding principle for the proposed future

expansion of the salmon aquaculture industry. However, a number of existing sites, which were licensed during the 1980s, were located too close to river mouths and these sites should also be subject to assessment under the guiding principles to ensure the sustainable development of aquaculture.

It is intended that under Principle 2 - Ecosystem Protection - licensing and ongoing regulation of aquaculture operations will ensure compatibility with the goal of maintaining healthy, productive and resilient marine ecosystems. The aspiration is that this will ensure maintenance of good water quality and healthy populations of wild species, prevent escapes and avoid harmful interactions with wild fish stocks, protected habitats and species. Inadequate control of sea lice is a harmful interaction with wild salmon and sea trout stocks. Under the current licensing and regulation of salmon aquaculture, this guiding principle for sustainable development of aquaculture is not being met with regard to control of sea lice, particularly at sites in the west.

Under the Department of Agriculture, Fisheries and Food's Strategy for Improved Pest Control in Irish Salmon Farms 2008, which is still in place, it was proposed that a feature of the strategy to enhance the control of sea lice infestations on Irish salmon farms should be the creation of a real time management regime. This regime was intended to deal vigorously with failures to control sea lice infestations on a case-by-case basis. It was designed to bring progressively tougher actions to bear on sea lice infestation to ensure the highest possible level of compliance. Actions available include accelerated harvesting of salmon, followed by extended fallowing post-harvesting. In recent years, there have been examples of individual salmon farms failing to control sea lice below the sea lice treatment trigger level over long periods. The sanctions available under the real time management cell approach have not been enacted in these cases. Guiding Principle 2 will need to take account of the inadequacies in the current regulation of sea lice levels on salmon farms.

Under Principle 3 - Science-based Approach - planning, licensing and regulation of the sector are founded on the best available, impartial and objective science, as delivered by the national and international science community. This provides the highest level of confidence in the decision-making process and allows for the adoption of a risk and evidence-based approach to determining monitoring requirements that are subject to continuous improvement. This is an important guiding principle with regard to the proposed future development of marine salmon farms as there have been significant advances in our understanding of the potential negative impacts of sea lice and escapes from marine salmon farms on wild salmonid stocks in recent years.

Taking account of the best available science with regard to wild fish interactions with farmed fish will be important in ensuring the sustainable development of salmon aquaculture. Inland Fisheries Ireland is the statutory agency tasked with the protection and conservation of wild salmonids. These management responsibilities are supported by best scientific advice and it is important that IFI's scientific expertise is fully integrated into any science-based approach for the planning, licensing and regulation of the sector. On the scaling and phasing of development of offshore salmon farms, use of the concept of carrying capacity in the national strategic plan, which considers environmental limits aimed at avoiding unacceptable change to the natural ecosystem, is important in ensuring sustainability of aquaculture. The concept of scale limits and phasing, as proposed, are important for the development of offshore salmon farms and are consistent with the recommendations made by IFI with regard to the proposed offshore salmon farm in Galway Bay. IFI commented that in any such project, a significantly lower smolt input should be licensed initially, with a gradual build up of smolt numbers only taking place following further rigorous review and consent processes. IFI believes that intensification should be

treated as a totally separate application, with all of the associated statutory consultations and reviews. This would allow an assessment of any impact of the salmon farm on the environment, flora and fauna and allow mitigation measures to be developed in a more sustainable manner.

While the general concept of scale limits and a gradual phased build-up of production as set out in Chapter 6 are consistent with the approach proposed by IFI, the proposed appropriate maximum for new individual offshore salmon farms of 5,000 tonnes peak biomass is too large as an initial maximum production, particularly as existing salmon farms in Ireland have considerably lower licensed production limits. There is need to assess the environmental sustainability of offshore salmon farms at individual locations on a trial basis and only after monitoring has shown that no adverse impacts are evident should a gradual build-up of production be licensed. It will take a number of years and generations of salmon to adequately assess the sustainability of individual sites. It is, therefore, important that the initial licensed production tonnage be set at a lower level to demonstrate environmental sustainability. With regard to licensing additional tonnage beyond the initial licensed peak biomass, the recommendation in Chapter 6 that approval to increase the capacity above the initial allowable biomass should only be considered following a rigorous assessment of monitoring outcomes is consistent with this view.

On biodiversity and sustainable development, the strategic plan notes that Ireland's second national biodiversity plan includes a programme of measures aimed at meeting Ireland's biodiversity obligations, including a commitment to halt biodiversity loss by 2020. Sea trout are listed in Ireland's biodiversity plan and the commitments in this national strategic plan for sustainable aquaculture development must include maintaining biodiversity with regard to sea trout populations.

On organic salmon production, the strategic plan for sustainable aquaculture development identifies the opportunity for increased production of organic salmon. While organic salmon production may be more profitable, there may be unforeseen environmental consequences. The Irish Organic Farmers & Growers Association, IOFGA, standards for organic aquaculture state that, regarding sea lice control, in-feed treatments and bath treatments can only be used twice in a 12 month period and not within one month of harvesting. The standards also note that if it becomes necessary to exceed the restricted treatments, the treated fish lose their organic status. Therefore, application of organic status to salmon production may hamper the ability to control sea lice on farms and directly impact on wild salmonids, contrary to the guiding principles for sustainable aquaculture.

On a risk-based approach to licensing, there is a large body of scientific evidence to the effect that the production of farmed salmon in Ireland has had a serious impact on wild sea trout and this impact continues to occur at a number of sites where sea lice are not adequately controlled. IFI proposes the development of a risk-based approach, using best national and international scientific information to analyse potential impacts on wild salmonids. This approach should not be confined to new developments but should also review existing fish farm locations. This risk-based approach is currently being undertaken in the Norwegian salmon farming industry. Consideration could also be given to designating areas free of aquaculture development, similar to the concept of national salmon fjords in Norway and the existing salmon farm free zone in Ireland.

Chairman: I thank the witnesses for their opening statements. Deputy Ó Cuív.

Deputy Éamon Ó Cuív: I thank Dr. Forde and Dr. Gargan for their submissions. Of all the issues arising in this area, the salmon issue is the most controversial. The concern of the IFI,

in terms of the aquaculture issues with which it is most familiar, appears to be around imported species, particularly oysters. Am I correct that the IFI is of the view that we should not be importing shellfish for farming in our waters for aquaculture and that we should try to develop a native industry that obviously would have a natural in-built resilience to diseases? In regard to oyster imports, my understanding is that oysters imported from France in particular have caused severe damage to our native stock and that this is a particular challenge. Perhaps the witnesses would address that issue and outline their view on the importation of seed from places outside this island.

The main issue of focus today for the IFI is finfish farming. I get the impression from what the witnesses had to say that finfish farming has damaged the wild salmon stocks and that they are fairly unequivocal about that. I am sure Dr. Forde and Dr. Gargan are aware that what has been puzzling some of us for some considerable time is the fact that while the IFI has been very strong on this case, and has backed that up with scientific evidence, other State agencies are of the view that the huge expansion of this industry is of major benefit to the country. From a scientific point of view, somebody is right and somebody is wrong. Am I correct that the view of the IFI is that finfish farming has been damaging to the wild salmon stock? Also, if we had never had any farming of salmon in cages around our coast, would the IFI be recommending today that we would be better off at this stage not developing any such farms?

I also got a particular impression from the witnesses on a second issue, although I may be incorrect. It was stated that while the IFI believes that finfish farming has caused severe damage, it recognises that people have licences and, as such, this practice could be better facilitated by way of resettlement or re-siting of existing fish farms to more suitable sites as licences come up for renewal, thus removing them from river mouths and so on. Is the IFI opposed in principle to the setting up of new finfish farms where currently there are none and proposing the relocation of those already in existence when it comes to renewal of licences?

The next issue raised was the contention that the Department should not be the licence giver. That makes sense. I have argued for a long time for reform of licensing, because it is not right that the developer also be the gatekeeper. The Department's role is to develop aquaculture. I mean that in the widest sense. I believe the IFI proposal is an interesting one. The witnesses also spoke of the need for better monitoring and graded penalties and sanctions. On that issue, I was recently told - the witnesses might confirm whether this correct - that in situations in which licences for fish farms have expired and those farms do not comply with the various environmental requirements, it is virtually impossible to sue the operators because, as they do not hold a valid licence, they are therefore not bound by the terms of any licence. As the fish farms are on an extension of a licence, they are exempt from having a licence, in the strict legal sense. In other words, one cannot stop them fish farming but they do not have a licence. I would like to hear the witnesses' views on that because if that is correct, that would create an emergency.

In regard to the policy proposal of a maximum limit, and the witnesses seem to be fairly negative on fish farms, they appear to say that the maximum proposed is far too high but even if there were a maximum, it would be totally subject to site specific requirements and we need to be conscious of this.

Since drift netting was stopped on the coast, did the wild salmon stock recover? The fishermen were taking salmon from the sea but they were not causing pollution, spreading infections or causing cross-breeding. Is it the case the salmon stock has not recovered and that other factors, such as municipal waste, finfish farming and trawlers sweeping everything out of the sea have had much greater impact on the wild salmon than the drift net fishermen, particularly the

fishermen in a currach ?

Deputy Martin Ferris: I thank both Dr. Gregory Forde and Dr. Paddy Gargan for their presentation. It seems easier to control shellfish farming, be it mussels, scallops or oysters. It does not have the same impact as finfish farming on salmon and trout. Mention was made of the effects of farmed Pacific oyster in Lough Swilly contaminating the natural oyster. I come from an area where we have one of the finest natural oyster beds in Europe and we are lucky that there are no farmed oysters that near to them, as Kenmare Bay is the nearest place where there are farmed oysters. We have been free of contamination.

I refer to the number of oyster beds around the coast going back 100 years to 120 years which have been wiped out. Only a few remain - the few that are sustainable. That was long before we had farmed shellfish or whatever. There were other factors at work - perhaps over-fishing could be part of it as well as infected waters.

Finfish farming is highly controversial, in particular the proposed salmon farm in Galway Bay. The size of the proposed Galway Bay project is a cause of concern in terms of fears of cross-contamination with sea lice, fish escapes and the damage this will do to the wild salmon. I concur that the size and location of the proposed fish farm will have a detrimental effect, particularly near the mouth of a river as has been said, and the effect on trout and wild salmon of the infected farmed fish escaping from their cages.

Dr Gargan mentioned that it may be practical in deeper water and I would like him to elaborate on that. When he refers to deeper water, is he proposing that the farms be located further out to sea, because the further out one goes, the more exposed one is to weather conditions and so forth? Mention was made of the significant escape in west Cork, which came about, if my recollection is correct, in the eye of one of the worst storms in my memory. These escapes have a detrimental effect. I have looked at reports from 2009 to 2012 dealing with the damage to Donegal, in particular. I assume the Marine Institute carried out investigations at that time. I know the Marine Institute was involved in looking into the reason, cause and extent of the damage in 2011. Have the major companies been sanctioned or have the reports from the Marine Institute been supported by the Department or the political side? With proper regulation and proper scrutiny, we can get this right. However, if the body charged with investigating the effects of bad practices, notwithstanding the inappropriate locations, which is outside all of our control, and the information is not dealt with, it does not auger well for the future. It makes things an awful lot worse.

Has political influence been used to curtail in any way the working of the Marine Institute in trying to do the right thing? The Galway Bay project is being driven politically and that certainly neutralises people who have concerns about the long-term well-being of the wild salmon. That would certainly be the case up to now, unless there was a U-turn or some way to claw back from the Galway Bay project.

It was mentioned in the presentation that the development of a closed containment land-based system for the farming of salmon would be welcome if the companies were prepared to go down that road. I have been of the opinion that fish farms could be created on land. I think one would be able to control contamination from lice infestations and escapes. I understand that there would be a higher cost factor. Obviously, the consideration of companies investing in fish farming is all about profit and not about the environment. Profit is the motivation. Energy costs are another consideration. Could we have a joined up approach and consider using green energy, availing of tidal wave or wind energy in such projects?

I think we all want to get it right but we also want to create enterprises in our bays that will contribute to rural areas. Rural Ireland has been decimated and we need to ensure that people can make a viable living in their area and sustain the local economy. There are aspects of aquaculture that can be located in areas that would be beneficial to local communities. It is about getting the right locations. As it was made quite clear in the presentations, the mouth of a river is not the place to locate fish farms as it has an adverse effect on salmon and trout stocks.

Chairman: Senator Ó Clochartaigh and Deputy Harrington have indicated they wish to speak. Will I call Deputy Pringle after that?

Deputy Thomas Pringle: I will put supplementary questions. I apologise for being late.

Senator Trevor Ó Clochartaigh: Cuirim céad fáilte roimh na finnétithe agus gabhaim mo bhuíochas leo as ucht an cur i láthair.

From listening to the hearings on the issue, we have the whole spectrum of opinion from those who would be in favour of open fish farms at sea and those at the other end of the spectrum who would be totally opposed to them. I would agree with the comments on the need to separate licensing from regulation. Let me put the same question as I have put to previous witnesses. Do the witnesses see a situation where one can have the angling fraternity and the aquaculture fraternity living within the marine environment we have? Are there ways in which they can be mutually supportive, so that one is not to the detriment of the other? If there were to be a separation of licensing from regulation, would the witnesses add other regulations - for example, on the size of farms, proximity to estuaries and distance of extension out into to sea - and would there be certain no-go areas? If the witnesses were given *carte blanche* to lay down the regulations that should be put in place to ensure both a thriving angling industry with adequate stock and aquaculture side-by-side with it, what regulations would need to be put in place?

On the matter of closed containment onshore aquaculture, it seems like a no-brainer that we need to develop that part of the industry, and it would seem to solve a great many problems, but the counter-argument is cost efficiency. When will this be viable? Where is the technology being developed? Do the witnesses know how long it will take for the technology to be applied to commercial production? Could we in Ireland be industry leaders in that area if we put the proper investment into it? We are talking about salmon and trout, but are there other species that we should be looking at?

In regard to the potential for growth in the industry, we had a presentation on the potential for hatcheries as a very viable and vibrant part of the industry. Do the witnesses see the potential of developing hatcheries that would support the industry?

Multi-trophic farms are being mentioned by the Marine Institute as the way forward. Could the witnesses advise on the potential pros and cons of these?

Do I sense a change of policy from IFI on the proposed Galway Bay project? I felt there was a stronger resistance to the Galway Bay fish farm in previous statements I have heard from IFI, but it seems from its statement today that if the Galway Bay project were to be started as a small-scale operation and monitored and expanded gradually, it would not be totally opposed to it. Previously, I sensed much greater opposition from IFI, based on some of the scientific data, towards the proposed mega fish farm in Galway Bay.

Deputy Noel Harrington: I thank the Chairman for allowing me to attend this meeting. I thank Dr. Gargan and Dr. Forde for their presentations. I apologise for being late, but I have

gone through their opening statements as quickly as I could.

It seems that they are looking at the testimony from both sides. Many of the submissions we have heard, be it from IFI or from the Marine Institute, will quote different pieces of research that quite often collide. I have not got it in front of me, but I think the Marine Institute has quoted Jackson *et al.*, and it would not be exactly what the witnesses have said in their submission. That makes it even more difficult for members of this committee to make a reasonable and balanced evaluation of what research is out there, particularly with respect to sea lice. We are trying to bear in mind also the value, particularly in rural peripheral areas, of both the angling industry and the aquaculture industry. Trying to get the interests of those industries aligned is a hugely problematic exercise and one in which the evidence of both the IFI, the Marine Institute and other stakeholders is very important.

I agree with the submission on the separation of licensing and regulation, which would seem to be fundamental to good practice. I suggest that the Department retain the licensing side and that the EPA or the Sea-Fisheries Protection Authority, SFPA, might have a role in the regulation of the industry. I am pleased to note that they support the sustainable development of the aquaculture industry. They also mention the creation of an emergency fund to facilitate the clean up after storms, such as the storm in Bantry Bay that Deputy Ferris remembers as the worst in his lifetime. While that release of farmed fish was significant, it practically put the fish farm out of business as well. They do want to have their stock released inadvertently.

In my view, providing an emergency fund to deal with events after they happen does not make a whole pile of sense, particularly with respect to what happened in Bantry Bay. I submit that under the new Common Fisheries Policy those involved in aquaculture ventures or those who are considering them would get better grant aid for ensuring there are better controls, husbandry and more efficient management of those sites and to beef up controls under a regulatory regime. Instead of providing public money to assess the damage, we should provide funding to prevent future occurrences.

Sea lice occurs naturally. Have Dr. Forde and Dr. Gargan base figures on the natural occurrence of sea lice and the increased occurrences of sea lice in the vicinity of aquaculture ventures? The document states that in 2014, some 29% of sea lice inspections were above the treatment trigger level compared to 18% in 2013. However, it does not state how much higher the levels were over the treatment trigger levels. Were they significantly higher or were they just a couple of base points over the treatment trigger levels? Were there just one or two incidences of sea lice that were of major concern? If one looks at all the incidences together, one might get a picture, but if they are looked at individually, how is the regulatory regime enforced? I believe sea lice are reasonable easy to treat, but what is the view of the witnesses on that?

One of the problems we have is the significant increase in the seal population. Is there a report on the impact that an increased seal population has on wild salmon stocks? Have the representatives formed a view on what action should be taken?

Deputy Thomas Pringle: I apologise to the witnesses for missing their presentation. I also apologise if my questions have been asked by other speakers already.

IFI favours the development of closed containment salmon farms, and that we should move to land-based closed containment. What role will it play in making that happen? Will the IFI have an input into making this happen? I would like to tease out what its role will be in that development?

The Pacific oysters, *crassostrea gigas*, in Lough Swilly have become invasive and the IFI states that provision should be made to remove the Pacific oysters from the Swilly. Does the IFI have an active role in making that happen or is it something that it aspires to happening? In regard to aquaculture licensing of established wild mollusc fisheries that are causing concern, is the IFI proposal that these licences be withdrawn and replaced with licences in respect of areas that are not affected an aspiration or something that can be done?

Dr. Greg Forde: We will try to respond to members questions in the order they were asked, with questions in respect of which overlaps arise being responded to in the first instance.

On Deputy Ó Cuív's first question regarding importation of shellfish and oysters, this issue has been addressed by the new fish health regulations. There was a real problem when there was no regulation around the importation of oysters from other locations and the movement of oysters. The preservation of the few bays that are not suffering from binemia to the same extent as others must be tightly controlled. It would be great if we had a flat oyster that is tolerant of binemia and can still survive. What often happens is that just as the oysters reach marketable size, they open and die. A lot of this is regulated through the Marine Institute. IFI has a specific role around licensing for the harvest of the species. I do not see this issue being a big problem, provided all of the required controls are put in place and any seed imported comes from disease-free stock and so on. The big problem in Ireland was that product was being imported, left in one bay for a while and then moved and spread elsewhere. This no longer happens.

Deputy Ó Cuív's second question related to finfish and the re-siting of licences for farms. Dr. Gargan will elaborate further on this point later. Dr. Gargan and I referred in our opening submissions to problems with the siting of salmon aquaculture sites. Deputy Pringle asked about aquaculture licensing in areas where wild mollusc fisheries exist. IFI is in favour of all of these issues being unravelled as part of the new process. This is about sustainability of aquaculture operations and sustainability of wild fish. In both respects, we would prefer that the new licensing regime would enable identification of problem areas and the re-siting of operations to non-affected areas, such that people can continue to operate a site but in a place where it has less affect on the wild fishery. Dr. Gargan will respond now to some of the other questions asked.

Dr. Paddy Gargan: On Deputy Ó Cuív's point regarding the availability of information which suggests that finfish farming has damaged wild salmon stocks, most of the information we have suggests it definitely damages sea trout stocks because sea trout live in the sea close to the shore and in the estuaries. This information, which is based on experiments involving one batch of salmon going to sea being treated with a chemical to protect them against sea lice and another batch not being treated, points to serious impacts on salmon in particular years. Most of the research carried out in Ireland is based on the impact on sea trout. In regard to the point about Jackson *et al*, a number of studies have been carried out in Ireland and Norway on the treatment of hatchery fish going to sea, with one batch being treated and another batch not being treated. These fish are examined when they return the following year as adults to determine whether having gone through a salmon farming area they were impacted or not by the salmon farm. The evidence from all of those studies, including the Jackson study, shows that there is some impact, which in some years may be 10% or 20%. Dr. Jackson concluded that the impact was minor and that there was a 1% loss in marine survival. We believe that, generally, only 5% of salmon return. If that is reduced to 4%, it equates to a 20% reduction. All of the studies have found varying degrees of impact, with the impact in some years being greater, which is understandable. Not all salmon smolts migrating to sea will face the same level of potential lice infestation, as farms may have their lice under control, there may only be smolts on the farm, or

there may be a big freshwater influence in some years. All of the studies reviewed in the document to which we made reference indicate that, on average, the impact on salmon returning is between 12% and 29%. It may be lower in certain circumstances but it has been higher. Those studies show that salmon, as well as sea trout, need to be considered. There is a large amount of information to support this. In some areas, there is no impact because of the location of farms and the control of lice. However, this is not the case in all areas, particularly on the west coast.

Juvenile salmon are put into the bays in March each year. As these fish are quite small, they do not have sea lice, which means there will be good survival of salmon and sea trout that year. It is in the following year, when those fish have increased in size to approximately two or three kilos and lice are difficult to control, that a problem arises. Generally, the problem arises in the second year. This is the biggest issue that we believe needs to be addressed. As the fish in many of the bays are small in year one, it is possible to predict that we will not have a problem that year. However, the following year, if the lice are not brought under control at the time when the wild fish are going to sea in late March, April and May, there will be a problem. The challenge is to ensure that the bigger fish do not catch lice. Quite often, fish are harvested over the May-June period, at which time they may not have been treated for lice and, therefore, it is difficult to control the lice.

The other issue is resistance to the chemical used to treat sea lice. There are what is known as treatment failures, which is when fish are treated but it does not have the desired effect.

Dr. Greg Forde: Perhaps I could respond at this stage to some of the other questions posed by Deputy Ó Cuív. As set out in our submission, we agree on the need for a split of the licensing and regulatory functions. As most people operate their farms properly, the industry must be appropriately policed, such that there is not a perception that the industry is not appropriately regulated. Penalties should be incremental, such that people who continuously breach lice levels are faced with higher penalties.

On the legal question, whether a person operating under a lapsed licence can be found to be in breach of licence conditions is an interesting question and a matter for the courts. On the question of whether the proposal for the Galway Bay farm is too high, as stated by Dr. Gargan, IFI wants to see every site assessed for what it can sustainably produce. Without assessments, it will not be possible to identify what level of farming can take place at a particular site. From my experience in aquaculture - I am sure the committee will be aware of my involvement in the area in the past - I know that when production is ramped up, husbandry issues increase much more quickly. In other words, one ends up with problems sooner. Smaller farms had less intense problems.

I will ask Dr. Gargan to address the question on the cessation of drift netting.

Dr. Paddy Gargan: On drift netting, previously, up to 50% of returning salmon were taken before they reached their home rivers. The fact that drift netting ceased in 2006 means a lot more fish will have returned. The Deputy asked whether there were other factors involved.

Deputy Éamon Ó Cuív: My question was whether we have counters on the rivers that show that the number of fish returning is growing year on year.

Dr. Paddy Gargan: We have 32 counters operating on salmon rivers around the country and there has been a gradual decline since 2007 across all those counters. It is not a dramatic or steep decline but a gradual decline.

Deputy Éamon Ó Cuív: It is a decline.

Dr. Paddy Gargan: Absolutely. The biggest issue is marine survival. In the 1980s, when salmon went to sea, approximately 15% of them returned. In recent years, approximately 5% return. Marine survival is approximately a third of what it was 20 years ago. Generally, salmon smolts are being produced in rivers, as they always were. There are no major high seas fisheries and there is small subsistence fishery in Greenland for food. There is no fishery in the Faroe Islands like there used to be. There is practically no exploitation of salmon at sea. The issue of them surviving is down to what happens in the sea and marine survival. The rate has been declining since 2007 but there is some indication this year that it has started to increase again. It is a bit early to say as it is still in the middle of the season but there are indications that this year may be better than recent years.

To put this in perspective, if we were still drift netting, the position would be much worse as up to half of the fish that were returning would not be reaching rivers. The policy in place for ensuring that enough salmon get to spawn, with rivers close or only open for “catch and release” if there are not enough spawners, will safeguard vulnerable stocks.

Deputy Éamon Ó Cuív: I wish to confirm those comments. I am not making a case for or against drift netting. The witness is saying that despite the fact we have banned drift netting, which is seen to be the primary cause of declining fish stocks, the actual returns are reducing.

Dr. Paddy Gargan: Yes.

Deputy Thomas Pringle: There is no exploitation at sea of salmon stocks or fisheries of which the witness is aware but what about the krill fishery in the North Atlantic? I have heard stories of hundreds of thousands of smolts being caught in krill fisheries by Russian fleets. Has that been examined?

Dr. Paddy Gargan: There is an international organisation called the North Atlantic Salmon Conservation Organization, NASCO, of which Ireland, through the EU, is a member. We attend the annual meetings and there is much discussion about problems at sea. There was a major research project over four years called the SALSEA project. Ireland was involved with that and it considered problems in the sea with regard to marine survival. There was some evidence that large mackerel and herring fisheries were catching juvenile salmon as a by-catch. That is being investigated. The SALSEA programme was not able to pinpoint the exact reason salmon are not surviving at sea to the extent that they were 25 years ago. Fish were captured at sea by trawling and Marine Institute vessels were involved with that. It is difficult to take in the entire ecosystem, as the salmon go to Greenland, the Faroes and the north Norwegian Sea. There are changes in the oceans and sea temperatures. With all the dynamics in the sea, it is very difficult to pinpoint exactly what is causing reduced marine survival.

Dr. Greg Forde: Deputy Ferris referred to size, location and proximity to rivers. Our clear preference is that sites deemed to be too close to existing wild fisheries for salmon and sea trout - wild salmonid fisheries - should be relocated to a more suitable location further from an important river. The Deputy mentioned deeper water as possibly being more practicable but there are issues relating to exposure. The technology has moved on considerably in the past number of years and there are more sites being developed in deeper water. There are significant wave heights and that is why the site in Galway Bay is sited inside the Aran Islands. Another one is proposed off Mayo in the lee of an island. Dr. Gargan would possibly have experience of international developments, such as deeper water sites in Norway.

Dr. Paddy Gargan: In Ireland we do not have what one might call a very deep site operating now. With the Galway Bay submission, we stated that the scale of the project was too large and we have not changed our view or policy since. We argued that it should start small and there was not sufficient information in the environment impact statement regarding the migration route of salmon. The impact of sea lice and potential for escape of 6 million or 8 million fish to local rivers with just a few hundred fish had not been adequately addressed. Our main point was that any proposal should start small and be monitored, with any environmental issues addressed. Only after it was shown that the process was sustainable should there have been incremental increases. That is what we noted in our observations and what we are saying today.

The guiding principles in the sustainability document point to the fact that there must be environmental sustainability and monitoring is key. Only after monitoring has shown no impact should there be progression. We still make the point that the initial amount referenced of 5,000 tonnes is too large, as most Irish aquaculture is 1,000 tonnes, more or less. To start with 5,000 tonnes as a trial is too large until we know if it is sustainable.

Deputy Éamon Ó Cuív: Could a figure be put on that?

Dr. Paddy Gargan: It should not be any larger than the general size of existing farms around the country.

Chairman: What about closed containment?

Dr. Paddy Gargan: That issue arose and there is much work ongoing in Norway. There is a new institute in Norway that has been established with funding from the Norwegian Government to consider specifically how sustainable aquaculture closed containment can be done in an economically viable way. There is quite a bit of information coming and the institute has dedicated expertise solely examining how closed containment can be pursued. Norway would now be seen as the industry leader. There is also economically viable closed containment operating in Canada, with others beginning a number of years of production in Scotland. Norway is certainly considering closed containment as another means of developing the industry.

Dr. Greg Forde: Senator Ó Clochartaigh asked whether the two industries could work together. The two industries exist and they must live and work together. This is about a sustainable aquaculture industry and sustainable wild sea trout and salmon fisheries, along with rural communities, as mentioned by Deputy Ó Cuív. These must absolutely work together. One should not be given undue preference over the other, and we take that point on board from a wild fisheries perspective.

The issue of segregation of powers was also raised and we have come to that. There is also the matter of closed containment and cost. This plan includes financial grant aid systems, which should give greater financial reward in the percentage of funding in order to try to find a workable solution. Members also mentioned hatcheries and I would have to step away from my specific remit in addressing this. That issue exists for lobsters in particular but that is outside our specific remit. We cover molluscs in the sea and they are crustaceans. I have seen it in other countries but it would be outside my remit to favour that.

Dr. Paddy Gargan: With regard to multitrophic aquaculture, our remit is really just molluscs, salmon and sea trout. The Marine Institute would probably be best in commenting on that issue.

Senator Trevor Ó Clochartaigh: Perhaps the question should have been if that would

have any detrimental impact on the wild stocks? Would it live equally comfortably with them?

Dr. Greg Forde: Obviously, Inland Fisheries Ireland has issues with invasive species and bringing in other marine algal species to farm them. It is important to ensure all the appropriate controls are in place to avoid the spread of such species to places where they are not desired. From a scientific point of view, it would be better to develop these projects in a way that is not monocultural rather than to have monoculture.

We were asked whether Inland Fisheries Ireland had changed its view on the proposal for Galway Bay.

Dr. Paddy Gargan: I addressed that issue in my previous comments.

Senator Trevor Ó Clochartaigh: Dr. Gargan's position is that the view of Inland Fisheries Ireland has not changed.

Dr. Paddy Gargan: We have always stated that we are in favour of the proposed project being sustainable but we were concerned that, given the size of the project for which an application has been made, insufficient detail has been provided and no assessment has been done on the potential impacts on rivers in Galway Bay, including the migration route for salmon leaving Lough Corrib. The lough is a major fishery and special area of conservation under the habitats directive. We are concerned to have more information made available. We would like the project to start at a very small scale and prove its sustainability before being extended incrementally.

Deputy Éamon Ó Cuív: The witnesses have taken a clear position on the proposed aquaculture plant. It is IFI's view that where licences are already in place, the projects could be located in better sites but notwithstanding that, they should not be put out of business. Is that a fair summary of the position?

Dr. Greg Forde: They exist.

Deputy Éamon Ó Cuív: That is what I am saying. Is it IFI's position that they could be sited in better locations and so on?

Dr. Greg Forde: We obviously need a sustainable industry.

Deputy Éamon Ó Cuív: Is it desirable to have as a policy objective an increase in salmon production to either Scottish or Norwegian levels or should the current level be maintained? Would it be preferable not to prioritise the industry for significant expansion? This seems to be the major policy issue confronting us all. As a corollary to this, given IFI's international contacts and experience, do the witnesses believe that most of the fish farming in Scotland and Norway, with their significant at-sea industries, will have moved from open sea cages to land-based sites 20 or 30 years from now? This is where the major policy agenda lies. Is this where we should put our money? What will be the position in 20 or 30 years? I am interested in hearing the witnesses' views on that issue.

Dr. Paddy Gargan: I do not know whether the industry in Norway, for example, will all be land-based several decades from now but I presume there will still be some farming at sea. From our point of view, we have seen impacts over the past 25 years, even in the small-scale industry in this country. We are keen to ensure that any future operations are sustainable, meaning they should start small and prove themselves to be sustainable and not to have an impact.

However, we also see an opportunity for land-based projects because there will be no effluent, escapes or, I hope, sea lice and the projects could be very sustainable. We argue that if the industry in this country is looking forward and given that production here is relatively small, perhaps the policy should be to focus more on land-based industry and have some initiatives to investigate the development of a fish farming on land.

Deputy Martin Ferris: From the information available to Inland Fisheries Ireland, does it believe that the reason for the significant impetus in Norway to explore the possibility of land-based fish farming has been the damage done by fish farms being located off-shore?

Dr. Paddy Gargan: Since 2011, the Institute of Marine Research in Norway has been investigating the potential impact of escapes and sea lice on local salmon and sea trout stocks. It has developed a risk-based assessment and is providing figures every year on the likely mortality of wild stocks from existing farms. In a significant number of locations, the risk of mortality to local stocks is high. This allows managers to predict where the impact will be and future plan the industry. Norway is now running with this risk-based assessment and has put in what are known as national salmon fjords in areas where there is a serious problem. Restrictions have been placed on aquaculture and all fish farms must co-ordinate and treat simultaneously. Norway is taking the issue seriously because the official state agencies acknowledge aquaculture has had impacts. It is a very large industry and the country is trying to plan using a risk-based strategy.

Deputy Martin Ferris: What are the fish mortality rates in Norway compared to Ireland?

Dr. Paddy Gargan: According to the latest report, of 109 stations investigated along the Norwegian coast for salmon lice infestations, 27 indicated moderate to high likelihood of mortality of salmon, while 67 stations indicated moderate to high likelihood of mortality of sea trout. Norway is adopting a risk-based approach and advising management on what are the likely impacts. The conclusion of this review paper was that this risk assessment has provided the Norwegian Government with the basis on which to take decisions for future development of the Norwegian aquaculture industry.

Deputy Martin Ferris: In what way does that compare with Scotland? Does Dr. Gargan have figures on the position in Scotland?

Dr. Paddy Gargan: I do not believe the authorities in Scotland undertake the same risk assessment as the Norwegian authorities do. To date, we have not carried out the same assessment here.

Chairman: As the countries with the most developed industries, it would be wise to keep an eye on developments in Norway and Scotland. They are at a much more advanced stage than we are and we should learn from their successes and mistakes. I thank Dr. Forde and Dr. Gargan for their attendance.

Dr. Greg Forde: We did not answer some questions.

Chairman: I beg the witnesses' pardon.

Dr. Greg Forde: I am conscious that we are under a little time pressure.

I was asked whether better grant aid should be provided for better equipment. The industry should be required to ensure it uses the best available equipment. The idea of having a fund

to recover costs is that, as with all of these types of issues, when something goes wrong in a private industry, the State ends up carrying the can. Perhaps the fund could be a portion of the licence fee or something like that, although the licence fees are not substantial.

We are aware that there were significant concerns that the 200,000 fish which escaped in Bantry Bay would end up in local rivers. As to whether we were in a position to go out and ensure they did not run the rivers, we were not in a position to do so. Luckily for the time of the life cycle, the fish probably dispersed in the sea or were crushed by the nets during the catastrophic collapse of the cages. We got out of jail, as it were, but who is to say it will not happen again? For many years, farmed fish have been turning up in the wild, which is not good from a genetic or stock resilience point of view.

Deputy Noel Harrington: Would Inland Fisheries Ireland support measures to provide the industry with grant aid under the new Common Fisheries Policy?

Dr. Greg Forde: The whole proposal has a grant aid element to it. The industry is seeking elements of grant aid for different aspects of the development of the aquaculture operational programme.

Deputy Thomas Pringle: I asked a question on the removal of gigas oysters from Lough Swilly.

Dr. Greg Forde: Our view is that these oysters were brought in to become a farmed stock but became feral and are now taking over other sites where normal oysters should be located. There should be a mechanism for ensuring that this species, which has become invasive, is removed. Other witnesses who appeared before the joint committee last week hold a similar view to us on that matter. It is complicated. Fishermen were collecting them but the oysters that were too large to be marketable were disposed of over the side of the vessel. Instead they should have been incentivised to bring the wrong sized oysters ashore to ensure the wild fish could feed. The food source is wild. They are filter feeders so they have to be able to feed from the water column. It is of no use to feed an invasive species. Let us be honest, the fishermen made significant money from the marketable sized *Crassostrea gigas* that were harvested at the time.

Deputy Thomas Pringle: Is it the aspiration of IFI that they should be removed and can it make that happen?

Dr. Greg Forde: The IFI is the licensing authority. For a person to be able to harvest an oyster in the wild, he or she needs an oyster dredge licence. All we do is license the dredge. Separate agencies are responsible for the vessel in which the dredge is on and for the health of the oyster that is brought to market.

Deputy Thomas Pringle: Is it an aspiration rather than a policy?

Dr. Greg Forde: Yes, but we will certainly support it.

Deputy Noel Harrington: I asked two questions, the first of which was on the percentage changes of the treatment trigger levels.

Dr. Greg Forde: The percentage of lice on wild fish is different in aquaculture zones from non-aquaculture zones.

Dr. Paddy Gargan: Deputy Harrington asked if the lice level on wild fish was different.

Deputy Noel Harrington: I was asking about breaches of the trigger levels. A breach is a breach.

Dr. Paddy Gargan: I understand now. We monitor the level of adult females with sea lice. The treatment trigger is lower in the spring when wild fish are going to sea. On an average female with egg strings, the range is from 0.3 to 0.5 as opposed to 2.0 for the rest of the year. In the critical period in the spring, there were farms that were ten times over the treatment trigger. The issue we have is that they may have been breaching the trigger for four or five months in a row. The sanctions that are available were not being brought in.

There are particular locations with repeat offenders who are not maintaining lice levels below the trigger in the protocol, which is a condition of the licence. When it is breached, we do not think the sanctions are sufficiently strenuous.

Deputy Noel Harrington: Would Dr. Gargan be broadly in favour of the levels at which the treatment trigger levels are set?

Dr. Paddy Gargan: The trigger treatment levels were picked but have no relevance to wild fish. We would argue that in some particular locations, even if the trigger level of lice on the farm was maintained, one would still have a problem with wild fish.

Fish farms, from 500 tonnes to 2,000 tonnes, only need to maintain the lice level at a certain trigger. There is no relevance to the number of fish on the farm. We would argue that a large farm has more potential to produce lice even at the trigger level than a small farm and it has more potential to damage wild stocks. We have been calling for more than a decade that the level should apply to the whole bay and should not be breached, so that fish farming is not impacting on the local wild salmon and sea trout in the bay.

Deputy Noel Harrington: I am sorry to labour this point but sea lice occurs naturally. I am trying to get a handle on the issue. If the level of sea lice could be kept as close to the natural level, one would be doing very well. Using the natural level as a base, how far off that level are the treatment trigger levels?

Dr. Paddy Gargan: It is slightly complicated. We have done many studies over the years to show that sea trout will have an average of three to five sea lice when there is no salmon farming nearby. In salmon farming areas, they will have 30 or 40 sea lice, or perhaps ten times more. Those levels are not comparable to the level one wants to keep on the salmon farm because there are hundreds of thousands of fish on the farm. At present, ensuring that each fish on the farm has only half of an adult female lice cannot be compared to a level that is normal on a sea trout because of the number of sea trout eggs that are produced from the farm that have the potential to get on to wild salmon and sea trout in the locality.

This is back to the risk based approach that the Norwegians use. They monitor their salmon and sea trout. If the number of lice per gram is above a certain threshold, there is a high risk of mortality among wild fish. They advise that if the lice level on the sea trout and salmon they monitor is at a certain level they will be happy. If it is at a certain low threshold there is no impact, but the higher it gets, the more potential there is for mortality among wild fish. That is the risk-based approach they are taking in Norway.

Rather than set a trigger level regardless of the size of the fish farm, it would be better to ensure the level set is one at which there is no impact on the local wild stock.

HORSE INDUSTRY IN IRELAND: DISCUSSION (RESUMED)

Deputy Noel Harrington: I mentioned the seal population as well. It is anecdotal evidence that I am receiving, but the population does appear to be growing. They eat salmon, wild and farmed - whatever they can get their teeth into.

Dr. Paddy Gargan: IFI was involved with University College Cork in a study of predation by seals. The general conclusion were that in rivers where there is a healthy population, seal predation is not of great concern. It is where stocks are small that there is a problem. One of the study areas was the River Slaney, where there are valuable multi-sea-winter salmon - that is, spring fish - coming in. The conclusion was that if the population is low and there are problems with salmon-----

Deputy Noel Harrington: The seals will go to where the population is higher.

Dr. Paddy Gargan: There are certain haul-out sites and there are certain estuaries where the seals are present all year round, although they do migrate. The conclusion was that seals will have more potential impact on vulnerable salmon stocks. The other site we investigated was the River Moy, and because of the large salmon population, the same level of seal predation would not have the same impact on the salmon population on the Moy as it might on the Slaney.

This study was undertaken to see what had happened since drift netting ceased and whether there had been an increase in seal predation on inshore stocks. It is difficult to arrive at definitive answers, but the conclusion was that the risk was much greater where the salmon population is more vulnerable.

Chairman: We will have to wrap up.

Deputy Noel Harrington: If you look at the increase in the seal population-----

Chairman: The seal population is probably worth looking at as a study in itself. There is probably a knock-on effect if you look at it from the other direction.

We will have to wrap this up, as there are four more groups coming in. I thank Dr. Forde and Dr. Gargan for attending the meeting and making their presentation. This will feed into our submission, and I am sure the IFI is making its own submission to the consultation process. We have a draft report to which we will add this final contribution. It is fair to say the joint committee has taken the views of a cross-section of all stakeholders involved in aquaculture, inshore and inland fishing, considering the issue from the perspective of both the industry and statutory agencies such as the IFI. On that basis, we hope our submission will be well balanced and informed.

That concludes this session. I must suspend the sitting to allow a significant number of witnesses to take their seats.

Sitting suspended at 3.50 p.m. and resumed at 3.55 p.m.

Horse Industry in Ireland: Discussion (Resumed)

Chairman: I remind members, witnesses and those in the Gallery to turn off their mobile telephones. I welcome from the Irish Thoroughbred Breeders' Association, Mr. Derek Icton, chairman and Mr. Shane O'Dwyer, manager; and from the County and City Managers Association, Mr. Brendan McGrath, chairman of the association's environment, climate change

and emergency planning committee and chief executive of Galway County Council; Mr. Joe Boland, director of services, environment, Kildare County Council; Mr. Garrett Shine, Louth county veterinary officer; Mr. John McCarthy, Limerick veterinary officer; and from the Irish Horse Welfare Trust, Ms Jane Myerscough, chairperson; Ms Sharon Power, co-founder and Ms Claire Owens, welfare officer; from the Irish Society for the Prevention of Cruelty to Animals, Dr. Andrew Kelly, chief executive officer and Ms Barbara Bent, chair of the ISPCA board of directors.

I thank the witnesses for coming before the committee. As they are aware the committee is looking at the wider horse industry in Ireland where policy can be optimised to further develop the sector as a whole. Last week Horse Sport Ireland and the Irish Bookmakers Association appeared before the committee. Today, by the nature of the witnesses, we have a particular emphasis on animal welfare issues. I am sure the Irish Thoroughbred Breeders Association are equally interested in animal welfare issues.

I advise the witnesses that they are protected by absolute privilege in respect of their evidence to this committee. If they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given. They are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or persons or entity by name or in such a way as to make him, her or it identifiable. Members have already been reminded of their responsibility with regard to privilege at the earlier session.

I will invite one representative from each group to make an opening statement. I will call Mr. Iceton, Mr. McGrath, Ms Myerscough and Dr. Kelly in that order.

I now invite Mr. Iceton to make his opening statement.

Mr. Derek Iceton: My name is Derek Iceton. I am chairman of the Irish Thoroughbred Breeders Association, an association which looks after the interests of thoroughbred breeders both nationally and internationally.

The thoroughbred breeding industry is unique in that worldwide we are self-regulating and set structures so that we can trade and race with each other. On behalf of breeders, the Irish Thoroughbred Breeders Association will represent Irish breeders to make sure that they are not compromised in this export-driven business. This year every country that breeds thoroughbreds will come to Ireland in September where we will collectively agree on principles for equine genome testing for binding international agreements. Such undertakings cannot be taken on by Horse Racing Ireland or the Department of Agriculture, Food and the Marine.

We are very active on behalf of breeders nationally and I will mention a few things we have achieved recently. We have led the discussions on the implementation of the new EU VAT rules on behalf of the breeding and racing industry, at great expense to our association. We also led the alliance for racing, where owners, breeders, trainers, jockeys, stable staff and so on came together to lobby the Government. We continue to have seminars and meetings to keep breeders fully up to date on issues and to help them run their enterprises profitably. We run winter workshops for veterinarians and breeders to ensure the latest best practice is upheld. These workshops are responsive to current issues as well as for informing about new practices. We represent our members on the boards of Horse Racing Ireland, Weatherbys Ireland, Goods, Irish

HORSE INDUSTRY IN IRELAND: DISCUSSION (RESUMED)

Thoroughbred Marketing, veterinary liaison committees, European Federation of Thoroughbred Breeders' Associations and so on. We continually strive to improve the fortunes of the National Hunt breeding sector, and the recent introduction of a proper series of races for National Hunt fillies has been very successful. The youth section of our association, the YITBA, runs apprenticeships, career advice and workshops. It is the fastest growing part of our association.

The Irish thoroughbred industry is a world leader. Indeed the description of "bred in Ireland" has the same cache as "made in Germany" for manufactured goods. It reminds me of a speech made by the former President Mary McAleese when she said no matter where she went in the world there were the three M's - monks, music and mares. The Irish thoroughbred industry employs 17,000 people with an incredible percentage of added Irish value. Not only are our horses renowned, so are our horsemen and horsewomen. We have been very fortunate that the Department of Agriculture, Food and the Marine has always been open to us. I look forward to future co-operation.

There are issues of concern. There is a significant lack of profitability in the industry. The number of breeders and the number of mares are down 40% on the figures of some years ago. The market has not increased enough to justify a great expansion in foal numbers, but the loss of so many breeders is an issue, as is the increasing age profile of the national brood mare band. There is just not enough investment in young breeding stock. Those who have seen the production of thoroughbred foals as another source of farm income are walking away, as are their sons and daughters, simply because the cost of replacement breeding stock is hard to justify at the lower end of the market. While the world industry screams for first class quality, the returns to the average commercial breeder often make it a business that is difficult to justify. For the smaller breeder to replenish breeding stock, they have to compete actively on a world price basis to improve their standard.

The Irish Thoroughbred Breeders' Association, in its budget submission, has asked for an enhanced depreciation scheme to maintain profits being ploughed back into the stud, while at the same time seeking only to improve the quality in our main markets. We have significant issues with both German and Italian racing, both of which are in steep decline. Previously, Italy had been a most significant customer not only for the Irish bloodstock but also as great users of Irish stallions and livery, but now that business is now down to a trickle. British racing, while it is a world leader, offers prize money that is far too low and this in turn leads to a poor return for breeders. France is the best-funded racing nation in Europe through its very lucrative incentives to French owners and breeders. That makes it very difficult for us to trade in France. When one trades in France, it will be at a significant discount. I will elaborate on this when I come to deal with the National Hunt. There are some great opportunities. The Middle East, Asia and North America are great markets and the returns are significant. However in the Middle Eastern and Asia markets we are head to head against the Australian bloodstock and racing industry which is incredibly well-resourced.

Health issues are paramount and we need to demonstrate the health status of our industry worldwide. To that end, the industry has set up the Irish Equine Centre based in Kill. This is a world centre of excellence in equine veterinary diagnostics. It provides an exceptional horse-based focus in maintaining our health status and it is proactive in dealing with any challenges. The breeding industry itself provides €800,000 per annum from the foal levy to fund this centre. This is many times what the racing industry donates directly, but to me the issue is that the non-thoroughbred industry gets away scot free. If the State were to provide a similar service, it would cost many times its current funding. I ask the Department of Agriculture, Food and

the Marine to make a promise of significant ongoing funding to the Irish Equine Centre. With regard to the non-thoroughbred industry, we have very serious concerns about the low percentage of horses being registered. My chief worry is that disease does not discriminate between thoroughbred and non-thoroughbred horses, and an outbreak of disease in the country would be a significant issue for us and our export market. Furthermore, although I realise we live in a single market, I encourage the Department to have more spot checks on horses being imported through our ports. We have an issue with some overly zealous implementation of veterinary medication rules set down by the EU but implemented by the Irish Department of Agriculture, Food and the Marine. In each of the last two seasons, manufacturers have run out of stocks but similar products freely available in Europe for horses have not been allowed to be imported to Ireland.

With regard to the National Hunt breeding industry, we are again under serious competitive pressure from the French. That country has a myriad of incentives such as breeder bonuses, and it channels a significant amount of money back to breeders. We are in open competition with them and getting squeezed. I instance the derby sale in Fairyhouse, where the number of French animals has risen exponentially over the past number of years.

We have a wonderful industry and we are world leaders in the area, but there are challenges that need to be addressed now. The breeding industry is basically self-funded, with little input from Horse Racing Ireland, except in the contribution to Irish thoroughbred marketing, which we co-fund with the body. The Irish Thoroughbred Breeders Association is a 32-county body democratically elected among its members and responsive to the needs of Irish breeders.

Mr. Brendan McGrath: On behalf of the sector we were delighted to accept the invitation of the committee and make a presentation today. We represent the City and County Management Association. I am the chief executive of Galway City Council; we have not taken over the county.

Deputy Denis Naughten: It is a sensitive issue in some parts of the country.

Chairman: It is written in front of me.

Mr. Brendan McGrath: We have provided a presentation that summarises the key points for members. Our statement is a summary of two detailed submissions we have made to the Department of Agriculture, Food and the Marine on 27 April 2014 and 25 February 2015. We acknowledge that this is a very complex area of activity and it is very important, as the horse is very important to the status of Ireland both nationally and internationally. We understand completely that there are reputational issues arising from horse welfare.

The role of local authorities relates largely to the implementation of the Control of Horses Act 1996. In this context, the problem of stray and unwanted horses has become particularly pronounced in the post-Celtic tiger period. Regrettably, the number of horses seized and euthanised in recent years speaks for itself, rising from 2,936 in 2011 to a current high, as of 2014, of 4,923. Sadly, included in the above is an increasing number of dead horses, which clearly heightens animal welfare concerns, and some of these instances have featured in the media. In addition, there is a perception on the part of some members of the public, as well as animal welfare groups, that local authorities are wilfully putting down horses and dogs that could be rehomed elsewhere. This is not the case. There is also some evidence to suggest that the sector is being used as a rather expensive disposal service. Many of the horses seized are in poor condition and few are microchipped.

The main reason for such seizures arise from public safety concerns. There are obvious dangers associated with unsupervised horses in public areas and, in particular, straying on public roads. This task is carried out by impounding contractors, following a number of tender competitions. The costs involved are considerable and cover such aspects as call-out, seizure, transport, delivery, microchipping, veterinary inspections, etc. The spectrum of costs will generally range from €500 to €1,100 per equine. The problem arises in particular in urban and peri-urban areas. There is also evidence to suggest that there can be links with criminality. Until recent years, costs were recouped in full from the Department of Agriculture, Food and the Marine. However, the level of subvention has been gradually eroded to the extent that much of the cost is now borne by the local government sector.

In truth, local authorities do not have the sufficient professional and technical resources to deal with the increasing incidence of horse welfare issues.

It is noted that, consequent to the passing of the Animal Health and Welfare Act 2013, the Department of Agriculture, Food and the Marine is the primary Department with responsibility for all aspects of animal health. It also has the capacity, particularly with agricultural welfare officers, to deal with such matters. However, addressing welfare issues in certain urban areas can be very challenging. We should bear in mind that ensuring animal welfare can be a particularly labour-intensive activity in the context of investigations, veterinary interventions, follow-up inspections, etc. Council staff respond to welfare issues from time to time, but the broader role of the local government sector in terms of the Animal Health and Welfare Act needs to be better defined. Most local authorities have one permanent veterinary officer whose primary duties which take more than 90% of the time relate to a service level agreement with the Food Safety Authority of Ireland. Dog control represents another significant duty.

Despite vigorous enforcement of the Control of Horses Act, it is clear that the problem of stray or unwanted horses, as well as associated welfare issues, have not abated, despite all efforts, and it seems that the problem is growing. Also, we should bear in mind the considerable expenditure incurred to date. It is the strong view of the County and City Managers Association that there should be a greater focus on the fundamental causes rather than the symptoms of the problem. In this context, it would be particularly worthwhile to carry out independent research rather than rely fully on an anecdotal approach to the matter. In all likelihood, the reasons relate to a combination of the following factors: cultural or status issues attaching to horse ownership; indiscriminate breeding or a refusal to castrate stallions; supplying the food chain, an activity which is now highly regulated; the breeding lifespan; development lands and adverse possession; a culture of carelessness; anticipation of a national cull and association with potential criminality. There may be other reasons also. Current arrangements are far too reactive and a more considered and collaborative approach is required. In turn, this would likely involve smarter use of legislative interventions, possible introduction of a voluntary surrender scheme, new initiatives in the area of education and awareness, as well as an enhanced role for the voluntary sector.

There are a range of stakeholders involved, including the Department of Agriculture, Food and the Marine, the local authority sector, the Garda, the Irish and Dublin societies for the prevention of cruelty to animals, other welfare groups, representatives of horse owners, the farming community and, possibly, NAMA. In this context, our association wishes to emphasise the importance of a collaborative and co-ordinated approach, as no one entity is able to deal fully with the overall problem, having regard, in particular, to different roles and responsibilities assigned to the various agencies under legislation. There is also a need for a rigorous assess-

ment of current arrangements, better analysis of the extent of the problem and some innovative thinking in addressing the complex issues involved. Our association, being representative of the local authority sector, is wholeheartedly willing to participate in this process.

In the past two years or so the County and City Managers Association has been engaging actively both at a national and strategic level, as well as locally, with key stakeholders. In this context, we have provided copies of two submissions, dated 27 April 2014 and 25 February 2015, for the Department in the context of the ongoing review of the Control of Horses Act. These documents are drawn, in particular, from interaction with the Department, the Garda and local groups, and summarise the position of the local government sector. In addition, our association would be more than pleased to offer further assistance both to the Department and the joint committee. We hope the committee will find the accompanying presentation helpful.

Specifically, with regard to the four areas of interest to the joint committee, I will set out our summary position. The first is the policy on horse welfare and how it is implemented. The local authority sector does not have a specific policy on horse welfare as the primary focus has always been on control. However, horses dealt with under the Control of Horses Act are frequently welfare-compromised. The local authorities have focused on their specific duties relating to control, dealing mainly with nuisance, stray and unwanted horses and, therefore, will mainly encounter welfare issues by default. The Department, typically, deals with animals in a farm environment, whereas local authorities have more experience of operating in an urban environment which, regrettably, is where much of the abuse takes place. The animal charities and other welfare groups do, however, often become involved with welfare matters in the urban setting, which is to be welcomed, provided it is properly structured. The Department has formalised this arrangement, to some extent, by entering into a service level agreement with the Irish and Dublin societies for the prevention of cruelty to animals.

The second aspect is legislative underpinning.

Key legislation in this area includes (a) the Pounds (Provision and Maintenance) Act 1935, as amended, (b) the Control of Horses Act 1996, sections 33 and 37, (c) the Animal Health and Welfare Act 2013, (d) the European Union (Identification of Equidae) Regulations 2014 and the Control Of Places Where Horses Are Kept Regulations 2014. The chief executive of each local authority may authorise staff in accordance with the legislation listed at (a), (b) (c) and (d).

The third aspect is how taxpayers' money is spent. Depending on the number of horses seized in a given year, the Department of Agriculture, Food and the Marine annual subvention will range between €2 million and €3 million, with individual local authorities covering the balance. Seizing and impounding horses are time consuming and resource intensive tasks. It is a high risk activity that often requires Garda assistance. Overall costs will vary from €500 to €1,100 per horse, with the Department granting a maximum subvention of €375 per equine, leaving a substantial deficit to be made up by the local authority sector. Most local authorities use contractors for the purposes of seizing horses and providing pound facilities. A national tender is being formulated, although there are a limited number of contractors entering the market. This relates to a number of factors, including, in particular, the skills required to deal with fractious horses, potentially volatile owners, as well as the requirement to provide secure pounds for the mandatory holding periods. There are also significant health and safety risks and, accordingly, insurance can be very costly.

The fourth aspect is proposals for improvement. The following approaches should be prioritised: address the causes rather than symptoms of the problem; vigorous enforcement, which

could involve, for example, a task force for each county or area made up of the local authorities, the Department of Agriculture, Food and the Marine and the Garda to target groups of horses in unsuitable settings such as urban lands, etc. to ensure enforcement of all the new regulations; greater recourse to local by-laws, particularly the designation of exclusion zones; and review of the Control of Horses Act, as outlined in the CCMA submission. In this context, attached to our most recent submission was a series of recommendations to the Department for consideration in the event of future legislative changes.

On the Animal Health and Welfare Act, there is a need for a service level agreement between the Department and the local authority sector to complement arrangements between the Department of Agriculture, Food and the Marine and the ISPCA and the DSPCA. In this regard, each entity would be clear regarding its roles and responsibilities to avoid duplication or omission. Current arrangements between the Department of Agriculture, Food and the Marine and local authorities in terms of cross-compliance on environmental issues might be cited as a very worthwhile precedent.

Chairman: I thank Mr. McGrath for his opening statement and invite Ms Myerscough to make hers.

Ms Jane Myerscough: The opening statement of the Irish Horse Welfare Trust will be made by its CEO, Ms Sharon Power.

Ms Sharon Power: On behalf of the Irish Horse Welfare Trust, IHWT, I thank the joint committee for inviting us to participate in this meeting. I will start by providing some background information on the IHWT.

The Irish Horse Welfare Trust was established in 1989 and is the largest and leading equine charity in Ireland. It operates from a farm in County Wicklow and is recognised and supported to some degree by the horse industry. It is also supported annually by the Department of Agriculture, Food and the Marine by way of *ex gratia* funding.

Approximately 80 horses and ponies are cared for at any one time at the centre. The trust is largely involved in rescue, rehabilitation and re-homing, but in the past ten years it has also been involved in education and equine welfare horse projects, mainly targeted at the 15 to 22 year age group. For example, in Limerick we have put 84 young people who are an urban horse-owning community through FETAC-accredited qualifications, three of whom have gone on to be jockeys, one of whom is a successful jockey in Kentucky. We also work in areas of Dublin, including Finglas, Darndale and Clondalkin. The Finglas project, also known as the Dunsink project, has been referred to by the Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, as a model of best practice. Fingal County Council has significantly decreased its annual costs associated with stray and wandering horses in the past few years and been commended for its progressive approach in this regard. The Department of Agriculture, Food and the Marine provided funding this year to Irish Horse Welfare Trust in respect of the operation of five micro-chipping clinics to encourage compliance with the new legislation. These clinics were located in Wicklow, Cork, Offaly and Tipperary. We also have a follow-up plan to operate castration clinics in those areas. Unfortunately, many of the local authorities in those counties do not have a designated staff member with whom we can deal directly. This is a matter on which the local authorities need to be more proactive.

The next slide is a photograph of some of the boys who have attended courses at our farm. The next issue for Irish Horse Welfare Trust is responsibility for horses. Obviously, the local

councils have responsibility for the enforcement of the Control of Horses Act. We all know there are significant costs involved in the seizure, detention and destruction of hundreds, if not thousands, of equines annually. There is a never-ending cycle of production of mainly poor-quality stock, which is often then mistreated or neglected and picked up by Irish Horse Welfare Trust and other charities. The seizure and destruction of equines incurs huge costs year-on-year, with an ever-ending circle of breeding, impounding and destruction. This has been ongoing now for more than 20 years.

Managed horse projects and education have proven successful in reducing the numbers of stray and unwanted horses in the areas in which we have worked and in increasing welfare standards. The Irish Horse Welfare Trust is prepared to engage with all local authorities to find solutions and in this regard has already approached some local authorities around the country. We have also been contacted by some local authorities seeking help but we are unable to work with all councils unless provided with the resources to do so.

The Irish Horse Welfare Trust plans to roll out a national equine welfare education programme through which it will work with local authorities interested in providing education and training for young people in the area of equine care and welfare. If this is to be successful, it will require buy-in by all local authorities in the problem areas. This project would require financial support from the Department of Agriculture, Food and the Marine for the provision of a training facility at our farm and to help meet the cost of courses, which could also be part-funded by other stakeholders in education, health and community agencies.

The next slide shows the types of horses and cases with which we deal that would otherwise be picked up by the pound. In regard to the last picture, which is of a stray horse that was injured behind a factory, many people were involved in this case, including a local volunteer, who monitored the horse until such time as it reached an area where it could be caught, staff from IHWT, two members of An Garda Síochána and a veterinary surgeon. This operation also took a whole day because, as the horse was injured, the situation was critical. The next slide is a photograph of a horse in a river, which appears to be dead but made a full recovery. It had been ridden around by young fellows, following which it collapsed in a river. The next slide is a photograph of a horse that had a broken leg, probably for almost a year.

The Irish Horse Welfare Trust currently runs an equine care and welfare course. Leaving aside all of the available formal training, including the BHS, it is well recognised that there is a lack of education at a lower level, a need that is currently being met by IHWT. We also provide accredited education in association with FETAC in the area of stable and yard routines, courses levels 3 and 4 and have also conducted FETAC horse sport riding courses. All of this training is provided in areas of Dublin and Limerick. We have established links with RACE and the Association of Irish Racehorse Owners. Further links on education could be formed with Horse Sport Ireland. We have a huge population of young people in urban areas that have a genuine passion for horses but a lack of education in terms of how to care for them. They are also interested in working within our horse industry, if given the necessary training.

There is no classroom facility at the Irish Horse Welfare Trust farm. As our classroom sessions are currently run in the hay barn, this means they are confined to being held during the summer months. We also have a farmhouse that requires renovation, in respect of which plans have been drawn up and the estimated cost is €90,000 to €100,000. This project was previously deemed eligible for Leader funding. We will make a submission to the Department, probably in the next week, seeking funding to proceed with the building project. This will avoid wasting further time in rolling out our education programmes for urban communities.

On the Dunsink horse project, worldwide negative publicity followed an article carried on the front page of *The New York Times* which showed a photograph of an injured horse at Dunsink. This resulted in the Irish Horse Welfare Trust engaging with Fingal County Council and horse owners in the area. Members of the Dunsink horse project must follow membership rules and a code of conduct. Each equine is microchipped and allocated a passport and the premises is registered. Members may not own stallions - the IHWT castrated 13 stallions as part of the project - and breeding is prohibited. Each member has access to grazing, water and fodder storage, as well as a stable when required. Manure is removed regularly and each member pays a weekly subscription of €10 for hay. Educational courses are held on site and at the IHWT farm in Woodenbridge where examinations are also held. Twenty-two young men have completed FETAC level 4 qualifications as part of the project. Unfortunately, the examinations were held in the IHWT hay barn because we do not have classrooms. Our welfare officer, Ms Claire Owens, is involved in weekly management of the project.

Education, training and horse projects offer the only long-term solution to the issues surrounding horses in urban environments. They also reduce the number of illegally kept equines and promote compliance with legislation. The projects also reduce the number of horses seized and destroyed, increase welfare standards, reduce costs for local authorities and provide education and training for young people, with a view to securing careers in the horse industry.

As a County Wicklow-based equine welfare charity working across Ireland, the Irish Horse Welfare Trust is actively seeking to establish a national equine education and training programme aimed primarily at educating and training young people within urban horse-owning communities. The trust needs to refurbish its farmhouse to do this and has developed a project to achieve this objective, for which it will request the Department's support. We ask the joint committee to support the project.

In recent years we have been experiencing an equine welfare crisis, with thousands of horses put down each year and thousands more suffering as a result. Ireland has experienced significant reputational damage as a result of negative publicity about horse welfare. As the land of the horse, we must pull together and address these problems.

Dr. Andrew Kelly: I thank the Chairman for the invitation to appear before the joint committee.

The Irish Society for the Prevention of Cruelty to Animals, ISPCA, is recognised as Ireland's national animal welfare organisation. It has been providing front-line animal welfare services for more than 65 years. It is the umbrella organisation for 20 local animal welfare organisations across Ireland. I am also representing these bodies today.

The ISPCA is concerned about the welfare of all animals in all circumstances. We recognise that animals will be used for a wide range of purposes in society and strive to ensure the welfare of these animals is protected. The society operates two rescue centres, the National Animal Centre in Keenagh, County Longford and an equine rescue centre in Mallow, County Cork. Both facilities deal with animals that are most in need, primarily those that have been seized or surrendered to our inspectors, abandoned, neglected or cruelly treated. The National Animal Centre deals with horses, donkeys, dogs, cats and other species, while the equine centre in County Cork deals mostly with equines, although it also has holding facilities for a small number of dogs. The centre has capacity for approximately 20 equines, while the equine centre in County Cork has capacity for around 50 equines. As such, the ISPCA can only deal with a small number of equines at any given time. Our role is to rescue, rehabilitate and re-home,

where possible, but we also take difficult decisions to euthanise animals that cannot be rehomed responsibly.

The Irish Society for the Prevention of Cruelty to Animals is funded mainly by public donations, although we also receive an *ex gratia* grant from the Department of Agriculture, Food and the Marine. We do not receive any funding from the equine industry.

The ISPCA operates a national cruelty helpline which accepts calls from members of the public reporting incidences of animal cruelty, abandonment or neglect. Such occurrences can also be reported via the ISPCA website. In 2014 the helpline received more than 21,000 calls, of which approximately 10% related to equines.

As some members will be aware, the Irish Society for the Prevention of Cruelty to Animals has a team of only six uniformed animal welfare inspectors, who cover only 14 counties. We are in the process of recruiting two more inspectors, one for Limerick and a second for Waterford and south Tipperary, which will increase our team to eight inspectors covering 17 counties. Our ambition is to cover all 26 counties in due course.

In May 2014, following the introduction of the Animal Health and Welfare Act 2013, the ISPCA entered into a service agreement with the Minister which resulted in ISPCA inspectors becoming authorised officers under the Act. This gives ISPCA inspectors certain statutory powers, including the power to enter land and seize animals under some circumstances and issue animal welfare and improvement notices, the latter being a highly useful tool for inspectors. There are exceptions to our authorisation and it is important to list these. ISPCA inspectors do not exercise a function in respect of farms that rear animals for commercial food consumption or any horse on such a farm; horse racing events; stud farms; premises of horse trainers; or greyhound racing establishments. Other authorised officers deal with these areas. Since becoming authorised officers in May 2014, ISPCA inspectors have initiated more than 45 prosecutions under the Animal Health and Welfare Act, three of which have been finalised in court with positive outcomes. We may have wished for higher penalties but that is another issue. Our inspectors, who are on the front line, have an impact. This year, we published our first inspectorate report detailing the cases initiated by us and finalised in court in 2014. We will publish an annual report on the cases finalised in court in future years.

The ISPCA has dealt with significant equine welfare issues over the years. Between 2008 and 2014, the ISPCA national cruelty helpline received 10,374 complaints regarding equine welfare, giving an average of 1,729 per annum. The written submission features a graph showing a sharp increase in the number of calls between 2008 and 2010. While this appears to have reached a plateau, we continue to receive a large number of calls.

Over the same period - 2008 to 2014 - ISPCA inspectors seized or had surrendered to them 401 equines, ranging from donkeys to ponies and thoroughbreds, and covering both rural and urban areas. The numbers seized or surrendered increased from 13 in 2008 to 103 in 2014, a significant increase. By the end of May 2015, the ISPCA had already seized 51 equines. While the number of calls received has declined slightly, the calls appear to be more serious, as are their welfare implications, and we are seizing more animals. As such, the trend is continuing.

Many of the equines we deal with had been abandoned and the owners could not be traced either because they were not microchipped or because the last known owner, when traced, claimed the animal had been sold on. Less than 10% of the equines seized by the ISPCA are thoroughbred or ex-racehorses. The horses we see are suffering from a range of problems, in-

cluding starvation, hoof problems and injuries.

The ISPCA welcomes and supports the raft of legislation now available, including the Animal Health and Welfare Act, the Control of Horses Act and legislation on the registration of equine premises, microchipping, passporting and transfer of ownership regulations. However, we are concerned that a lack of enforcement by the Department has resulted in widespread non-compliance.

The ISPCA has long called for transfer of ownership regulations, which placed a responsibility on both the vendor and the buyer of an equine, to update the passport details held by the passport issuing office. We were pleased last July when the passport regulations were upgraded. SI 189 of 2014 placed responsibility on both the vendor and owner to update the record in the passport. However, this statutory instrument was replaced in December 2014 by SI No. 601 which came into force on 1 January 2015 and returned responsibility to the buyer only. Although the vendor has to retain records, he or she does not have to pass them on to the passport issuing office. This was a large step backwards in the ISPCA's opinion. Now, when we find a horse that has been microchipped, the last known owners simply say they sold on the animal and that it is no longer their responsibility. That is a big problem for us. We queried this with the Department which informed us that the statutory instrument had been replaced following consultation with stakeholders. We were certainly not consulted on this very important change and, as far as I am aware, neither was any other animal welfare organisation. For equine legislation to have the desired impact, it must be effectively enforced and all equines must be fully traceable throughout their lifetime. From our perspective, traceability equals responsibility. If horses can be traced back to their owners, owners will take responsibility for them. Unfortunately, it is our experience that the level of enforcement varies both between and within counties. There seems to be a lack of consistency between some departmental and local authority veterinary inspectors. It has already been mentioned that local authorities have the power to appoint authorised officers under the Animal Health and Welfare Act. My understanding is that very few have done so, which is not particularly helpful.

I would like to mention three case studies of ex-racehorses, as we are talking about that industry. The first horse was abandoned in County Westmeath in 2013. We were able to trace the last known owner who claimed that the horse had been sold on but could not supply details of the buyer. We subsequently re-homed the horse and there are pictures of it in the document we have submitted to the committee. The second ex-racehorse was abandoned in County Donegal in 2013. We traced the owner who said the horse had been sold on. We subsequently re-homed the horse. The third ex-racehorse was seized in County Carlow in April 2015. Sadly, we had to euthanise this horse to prevent further suffering. In that instance we were able to trace the current owner and I believe a case is being prepared. The ISPCA deals with over 1,700 equine-related calls each year and seized 401 horses between 2008 and 2014, around 10% of which were thoroughbred or ex-racers. In most cases, the last known owners claimed that they had sold on the horse but were unable to provide information on the new owners.

We recommend enforcing existing legislation effectively, which is not happening and not consistent across counties. We would like to see consistency between Department of Agriculture, Food and the Marine and local authority veterinary inspectors. We would also like to see veterinary inspectors being more proactive. We would further like to see a review of the transfer of ownership regulations. Let us put responsibility on both the vendor and the buyer to update details with the passport issuing office. We would like to see a review of all equine legislation and full consultation, including with animal welfare organisations.

I would like to raise a concern about 2,500 donkeys around the country included in disadvantaged area schemes. We are concerned about what will happen should these schemes be disbanded or scrapped. We anticipate that in time there will be a large welfare problem with these donkeys.

We would like to see more co-operation between the industry and animal welfare organisations. We would like to see the industry support animal welfare organisations and, as I keep saying, to make sure all equines are traceable. We will only be able to do this if the legislation is fully enforced and there is full compliance.

Chairman: I thank Dr. Kelly. We have heard four very comprehensive contributions. Our focus is on the entire horse industry, not just thoroughbreds. Although it so happens that the Irish Thoroughbred Breeders Association is represented today, we had representatives of Horse Board Ireland here last week. As Ms Power said, the reputational damage caused by cruelty and animal welfare issues affects the entire industry and the reputation of the country. That is the issue on which we want to focus and work. The recommendations that have come from all of the representative organisations are very relevant.

Deputy Éamon Ó Cuív: I thank the delegates for their presentations. We need to stand back and look at what the joint committee is trying to do. As the Chairman said, we are trying to figure out how to develop the horse industry from top to bottom, while also dealing with what we know is a major issue, namely, that of the urban horse, stray horses, etc.

We should start at the beginning. In life very few things happen without money. A suggestion made to me some time ago which I think is common knowledge was that betting tax could be increased. While the likelihood of getting more Exchequer funding is relatively slight, betting tax might be put back up. A figure of 3% has been mentioned, but we need not become fixated on the figure. We would then have a funding stream which we could use not just for one type of horse but also to resolve issues concerning all horses. Although the horse industry is massive and has massive potential, we have, unfortunately, slipped in recent years owing to changes in European income tax rules, stallion coverings and so on. We live in a very competitive world.

My question to the thoroughbred society is this. Let us suppose there was money available to do it. How would it develop the thoroughbred industry to make it more profitable and competitive worldwide? How would it create more employment? Would extra funding make any difference in that regard or is that not the issue? I ask the same question of the national hunt, special breed, sport horse industry, etc. We are going through every sector, from racehorses down. At times, investing in the horse industry may be more beneficial than investing in multinationals, although I am not setting one against the other. Are there things we could do a lot better to get better economic returns were we to make the required investment and if we had a steady stream of money?

It would be crazy for us not to deal with a problem that causes huge reputational damage and which is also going to take money to solve. Can Mr. McGrath tell me if we have any idea of how many urban horses belong to members of the Traveller community? I remember talking on the telephone to a Galway City Council manager, while I had a Kilkenny man sitting beside me in the car. I said mischievously to the official that taking horses from Travellers was akin to taking hurleys from Kilkenny men. I know that Mr. McGrath is not from Kilkenny but from the neighbouring county of Tipperary and that it might hurt him that I still think Kilkenny is the premier hurling county. There is, however, no point in trying to solve this problem by

confiscation after confiscation without dealing with the underlying issue that has been outlined. Members of the Traveller community have an affinity with horses and rather than try to solve the problem by sanctions, we should provide ways by which they could legally access horses in properly supervised conditions. I have a question for the ISPCA, the Irish Horse Welfare Trust and the local authority managers. If there was a proper funding mechanism and not just a project in Fettercairn or Dunsink and if we were to set up well-managed and well-run horse projects in, or adjacent to, urban communities, which would retain access for these communities which have traditionally been associated with urban horses, do they think it would have a major effect in helping us to allow these communities to enjoy horses in a controlled and positive environment, to reduce criminality and to make it easier to go after the remaining illegal horses and remove them because there would be no support for them? Do we have any idea of the kind of funding that would be needed if we were to set up a string of these horse projects in urban communities? I was involved in trying to set one up in Tralee. There is one in Fettercairn and Finglas was mentioned. Would the groups see that as being a positive plan? In the long term, would it save the State money because we would not spend so much time impounding horses?

I was very interested to hear about the change in the statutory instrument. Certain things happen unbeknownst to us and I am shocked the statutory instrument was changed. The same conditions need to apply to horses that apply to cattle in terms of the animal identification and movement system, AIMS. The minute the animal moves, it should be on the computer and if it is not, the keeper is in trouble. I have always believed we should cut to the chase here and work towards a system in which there is absolute and immediate traceability of horses. People should not be able to say that they do not own the horse, or other such excuses. We need to get to a point where we really clamp down on illegal horses.

Is it the view of the welfare groups and the city managers that it is not possible to clamp down on illegal horses without a regime in place for urban horses and people living in urban areas, particularly for the Traveller community, which has a huge and legitimate affinity with horses, where that regime would be legitimate, legal, properly supervised and properly funded in terms of ongoing capital and current expenditure funding streams? Would they be of the view that it is not possible to have one without the other and that we cannot have a clampdown and enforcement of the law without the legitimate out? I would be interested to know if anybody has costed it so that we have that information when we are putting everything into the 3% imaginary tax we are going to get. As somebody who is not big into betting, I am all for that tax as long as it goes back into the industry and so on. It would be a good way of developing our industry. I am interested in the groups views on this matter. Would it be possible to get a rough costing sometime in the next few weeks, without gilding the lily? I often say if one asks for reasonable money, one might get it, but if one asks for ridiculous money, one will never get it.

Deputy Martin Ferris: I thank all the contributors here today. When they speak about animal and horse welfare, what is quite provoking is how far the system has failed in terms of its responsibility with regard to cruelty and so forth. My first question is for the Irish Thoroughbred Breeders Association. In its presentation it mentioned a sizeable decline in the number of small breeders in particular and the effects that is having on the industry, especially the reputational effect when it goes outside the country and so forth. It also mentioned the prize money factor, particularly in England, the decline in the prize money and the effect that was having on the industry. Would it be fair to say the prize money on this island is having an equal effect on breeders in its association?

I commend Ms Sharon Power for her presentation and the tremendous work her organisa-

tion is doing from an educational as well as an animal rights point of view. Would most of the young people in her project be from deprived areas or the Traveller community or would it be widespread? I lived on a local authority housing estate for a long part of my life on which there were Traveller families living. Traveller families have a tradition of owning horses and it is my experience that they treat horses as well as they treat members of their own families. There is that connection and relationship.

Is it fair to say most of the cruelty we see is associated with abandoned horses? Horses have been abandoned and abused terribly, as a consequence.

In his presentation Mr. Kelly mentioned traceability and responsibility. I concur that the lack of traceability or identification leads to cruelty because no one is held accountable for it and there are no sanctions. Deputy Éamon Ó Cuív mentioned that we should do something similar to what we do with cattle. I concur. Every single calf born is more or less tagged right away and wherever it moves from that date on is known and traceable. We should look to do something similar with horses.

On enforcement and penalties, if we were to have regulations in place, we would also have to have sanctions and penalties. What are the delegates' views on the issue?

Each year money is allocated to Horseracing Ireland, Bord na gCon and so forth. Perhaps we should look at whether some of the money allocated should be made available to those who are doing tremendous work to promote horse welfare.

I would like to hear from all of the delegates on harness racing, in respect of which there seems to be a blockage, which I perceive to be a matter of status. I am reliably told that it is a lucrative as well as a popular form of racing in France and other countries in Europe, Canada and the southern hemisphere. I see many younger members of the Traveller community where I live on the roads and Banna beach with their sulkies. Their horses are well looked after and treated properly.

I again thank the delegates for their presentations which were thought-provoking.

Deputy Willie Penrose: I thank all of the organisations for their comprehensive and informative presentations which will prove very useful and constructive. The Irish Thoroughbred Breeders Association spoke about a lack of profitability in the industry and the reductions in the numbers of mares, breeders and everything else. Prize money has been reduced, but it is still substantially better than in England. It costs more to bring a horse to many of the tracks in England than the prize money on offer. That is why there are so many selling races; they are mad to get rid of them. Mr. Iceton indicated that there had been a 40% reduction, but surely one of the problems is that many people are being priced out of ownership. Has he any comment on that? There has been a huge reduction in the number of both individual and syndicated owners. Too many people are grabbing from the pot, which is driving out the ordinary people who used to enjoy buying a horse. I am aware that the industry became greedy, not just on one level but at all levels, including the organisational levels, which I spoke about previously. People are priced out of the market.

In their budget submission the Irish Thoroughbred Breeders' Association spoke about enhanced depreciation. Is this the equivalent of a tax incentive or subsidy? I would like Mr. Iceton to expand more on that. I know how things are written off over a period of time, but they are all a cost. Really, that is tax incentivisation. I am not surprised. Horse Racing Ireland does

not give owners much money. What is new? I am sure the committee will have an opportunity to examine that in due course.

I visited the Irish Equine Centre in Kill, which has the highest standards. I am surprised that Irish Thoroughbred Breeders' Association is not getting a subvention from them and that nearly all the funding comes from the breeding industry through the foal levy. That is a surprise.

What percentage of non-thoroughbred horses are not being registered? This is extremely important in the context of the points raised about passport regulations. In his presentation, Dr. Andrew Kelly, the chief executive of the ISPCA, spoke about the change in the passport regulation in January. He is absolutely right. The first thing that a person who owns a racehorse has to do is to notify change of ownership, and even if one changes the trainer, one has to notify the authorities. It is amazing that something as important as this is not applied to non-thoroughbred horses.

Deputy Ó Cuív is right to refer to the aims. Everything is computer-generated, and records are there to underpin the traceability from yard to yard and street to street and from house to house. That is the way it should be. We should get to that very comprehensive traceability system that is in place for the bovine industry and it should be applicable to the equine industry at all steps. We have no compunction about making that a very strong recommendation. I am sure the Chairman will deal with that in due course. I would like to know what percentage of non-thoroughbred horses are not being registered. Is this phenomenon increasing? Obviously the disease issue is of great concern to the Irish Thoroughbred Breeders' Association.

The witnesses also referred to the over-zealous implementation of veterinary medication rules set down by the EU but implemented by the Department of Agriculture, Food and the Marine. I am not surprised. Sometimes the Department cannot see the wood from the trees, even if it is standing at the side of the forest. They have been over-zealous in terms of implementation at various points in time. Mention was made of various things. What type of product have breeders not been able to use, and are they readily available somewhere else? I think they should tell us, as it is very important that we know about those things. We will be dealing with the Department in due course and cross-examining its representatives on what they have to say about this.

I was a member of a local authority for almost two decades, and some things have not changed or altered in the 13-year period since I left. The Department of Agriculture, Food and the Marine devolves responsibility and obligations to local authorities without a concomitant transfer of resources. It is as simple as that. Mr. McGrath is talking about something that costs €900, €1,000 or €1,100, and they get €375. One cannot continue to survive on that, especially at a time of declining resources at local authority level, and there is fierce competition for resources.

Mr. McGrath might be the right person to answer a particular question. There are service-level agreements and there is a rush for somebody to indicate that he or she is doing a great job, or instead, the veterinary officers may be transferred or amalgamated. Am I correct? I think I have a rough idea. There is a proposal to spread people across six or seven counties. As far as I am concerned, I want to ensure the veterinary officers are retained, and I know from personal experience that the veterinary officer in Westmeath, Mr. Sean Ó Laoide, and his colleagues play a very vital role. We should not mind the idea of rushing around and trying to signal a win in terms of putting people together. Those people, such as Michael King, the veterinary officer in Longford, whom I know, have done tremendous work. They have an array of roles that is not even understood sometimes. I think service-level agreements and the Food Safety Authority of

Ireland may be involved in all this, but I want to set down a marker that I would not be happy to see people in headquarters, away from the places where they inspect. The veterinary officers do a lot of work with abattoirs and even small rural abattoirs. We are losing enough activity in rural areas without losing everything.

Veterinary officers play a role in the protection of a vulnerable public when the local authorities are dealing with horses. I certainly agree that the local authorities need proper resources to continue the work they are doing. I note the proposals for improvement, which are useful and which we appreciate.

I saw a reference to the success of the Irish Horse Welfare Trust jockey training programme on Sky television some years ago. Any cost-benefit analysis of the work of the Irish Horse Welfare Trust would show it in a very positive way. Long may it continue with that work. We will take cognisance of the benefits of the horse projects education and training programme in our recommendations.

Dr. Andrew Kelly from the ISPCA made a number of points in addition to the opening statement. I was interested when he spoke about having to deal with a racehorse in Mullingar. I know the ISPCA centre in Keenagh operates at the very top level and one could not praise highly enough the work they do and their raising the funds to do it. Does the ISPCA get grants or only an *ex gratia* payment to run the centres in Mallow and Keenagh? What level of grant aid is available from the Department to deal with abandoned and-or neglected animals and animals subjected to cruelty? The work of the ISPCA is not confined to equines as I know it does a tremendous amount of work with cats, dogs and various other animals in Keenagh.

Like my colleagues I was somewhat taken aback by the change in the regulations. I think, Chairman, that we should explore the reason for the change. If one has a passport, one has to know who is involved at every step of the process. We could examine and explore the Equidae (Transfer of Ownership) (No. 2) Regulations that have come into effect and the rationale for that change in the context of what has been brought very forcefully to our attention in today's presentations.

I thank all the witnesses for coming before the committee and giving us the benefit of their expertise. The presentations are food for thought.

Deputy Martin Heydon: I thank all the representatives who have come before the committee and made very interesting presentations. First and foremost it is important to acknowledge that. We have had quite an array of presentations both today and on Tuesday last. Many of the issues raised come under the remit of Horse Racing Ireland, HRI, and the dialogue and giving people the opportunity to put their viewpoint across will play a key role. In terms of funding the horse and greyhound industry, I acknowledge the Government made a significant increase in funding in the last budget with a view to increasing it on a multi-annual basis over the next few years. That is important. With the extension of the taxation to online remote bookmakers, which we discussed here last week, that brings in more than €10 million per annum. That has brought extra funding into the equation, and that was done in the face of Opposition parties calling for cuts at the same time.

I will make my comments in the order in which the presentations are made and I will begin by putting some questions to Mr. Icton. I am concerned about the statistics in terms of the pressure that is being borne by small breeders and the fall in numbers in terms of both the National Hunt and the other side. This is an area that has supplemented farm income for many

years. I do not know if the statistics have changed, but 90% of breeders had four or fewer mares and they generally had farms as well. Friends of my age who are engaged in farming and whose families keep horses say that as soon as they take over the farm the horse will be gone because they see that business as hardship and there may not be a return from it. Does it come down to the return, or is there more to it than money? Mr. Iceton made a comparison with the French-bred animals that were in the Fairyhouse sales, but the French have a different funding mechanism in terms of betting tax and parimutuel betting, and we will never be able to compete with that with the existing structures we have inherited. How do we compare with countries such as Britain on that one? What more can we do to help the smaller breeders? Is it purely a question of finance in regard to the return they get, and how do we address that? We have to acknowledge the intrinsic role that small breeders play in the breeding industry. Is this something on which a case could be put to Horse Racing Ireland to seek funding from the Horse and Greyhound Racing Fund to go towards further initiatives or towards expanding on the initiatives Mr. Iceton mentioned?

Mr. Iceton touched on the foal levy. I am aware of some opposition from smaller breeders to the foal levy structure at present. I would be interested to hear Mr. Iceton's views on the suggestion of replacing the foal levy with a mandatory sales levy.

Ireland's disease-free status is hugely important for us and we may take it for granted. Mr. Iceton might comment on the importance of that to the equine industry. What would the implications be for the industry if something negative were to happen in that regard?

Mr. McGrath also gave a detailed presentation. I strongly concur with that he said. We need to focus on the fact that prevention is always being better than cure. The figures he gave point to a significant issue and trend, and that must be dealt with. The presentations that followed Mr. McGrath's also touched on that. We cannot spend our time asking what we will do with the thousands of horses. We need to examine the root causes of the problem and put significant resources into making sure that these horses do not manifest in the first place. That is crucially important. Otherwise, the problem will continue and we will always be two steps behind chasing it up. My view on this is that horses should not be in urban areas. They are not designed to be there, and I say that as someone who lives in such an area. Comments were made about tradition, but the tradition when it comes to horses is that they were in green fields with lots of space. That needs to be our starting point. Can Mr. McGrath indicate whether there are spot checks in urban areas where there is a significant intensity of horse-keeping? There are certain pockets of urban areas in my constituency in Kildare where there are many horses, and they cause problems for people who live in estates. I note Mr. McGrath said in his presentation that when many of these horses are seized they are not microchipped. Is this being actively pursued to ensure that they are microchipped before they are seized? Are there checks to ensure that horses are microchipped and, if they are not, are there repercussions? Mr McGrath pointed out that the current arrangements are more reactive. That suggests we that are not proactively carrying out on-the-spot checks, which is an issue.

The representative of Irish Horse Welfare Trust mentioned that the programme will require more buy-in. The representative from the ISPCA said there was lack of enforcement. We can see a crossover there and we can see the picture. That leads me on to the point that was mentioned about legislative interventions. The witnesses referred in their presentation to the legislative underpinning, and a list of Acts is provided. Are they suggesting that changes need to be made to those Acts, or are the changes being made to the Animal Health and Welfare Act not sufficient? I accept the point that local authorities are under funding pressure as they try to

deal with the end problem. Do the delegates believe the legislation listed needs to be amended and changed to facilitate the early intervention needed to minimise the end problem? Do they have the legislation they need at their disposal? If so, is it reasonable to suggest it is purely a matter of financing and putting a better structural arrangement in place? Is there a service level agreement between the Department and the local authorities? It would be a concern if no such agreement were in place. The Animal Health and Welfare Act 2013 allowed for the appointment of authorised officers. The delegates might outline how many local authorities have made such appointments, to their knowledge.

I would like to comment on the presentation made by the representatives of the Irish Horse Welfare Trust. I am happy to support the trust's efforts to renovate its farmhouse because it is a worthwhile project.

Reference has been made to the tradition of some urban dwellers to keep horses. We have heard about how well they care for them. My simple view on it is that horses should not be kept in urban areas, but I do not know whether everyone would agree with this. If our starting point is trying to facilitate people in keeping horses in urban areas, we will always have a problem and will always be dealing with issues. I suggest a much better way to approach this matter would be to provide appropriate places to which people from urban areas could travel to visit their horses.

I concur with the point made by the representatives of the Irish Society for the Prevention of Cruelty to Animals that traceability equals responsibility. Obviously, we can do more in terms of microchipping. Every horse is supposed to be microchipped, but many horses seized are not. Is it the case that not enough fines are being imposed when horses are not microchipped? Is there a problem in the execution of fines? How do we address this issue? If the system in place is not being used properly, surely we need to address the issue.

I thank everyone for the very informative presentations.

Chairman: I have to suspend the sitting as there is a vote in the Dáil. If it suits Deputy Denis Naughten and Senator Mary Ann O'Brien, I will call them to ask their questions after the suspension.

Senator Mary Ann O'Brien: I will say nothing at this point.

Chairman: I would not like to have to cut off the Senator.

Senator Mary Ann O'Brien: I do not mind. Perhaps it is time for coffee.

Chairman: I apologise for having to suspend the sitting. The vote will probably take more than 15 minutes.

Deputy Denis Naughten: That is democracy.

Chairman: It is democracy at work.

Sitting suspended at 5.15 p.m. and resumed at 5.35 p.m.

Senator Mary Ann O'Brien: I will be brief because these poor people have been here all day. I thank everybody for their educational, informative and up-to-date presentations. I have a few comments and questions. Some of the witnesses might concentrate on racehorses whereas the representatives of the Irish Horse Welfare Trust and the Irish Society for the Prevention of

Cruelty to Animals might know more about urban horses. Given that we are still in a huge crisis, it is hypocritical that we are sitting here relying on the horse to a significant extent culturally and economically. Ireland is the fourth largest breeder of thoroughbred racehorses in the world. We are up there with the top showjumping countries. Bertram Allen is fifth in the world. We are brilliant at eventing. We have many horse fairs. We are at risk of destroying our reputation because, as far as I can see, we still have a major crisis.

I would like to put to the witnesses a question we all have to ask ourselves. This House spent a great deal of time on the animal health and welfare legislation. Is our legislation sufficiently robust and detailed to deal with this crisis? Does the current legislation or the implementation of the law go far enough? Is it going anywhere at all? Are the fines or levels of penalties anywhere close to being acute enough? It seems to me that people are getting away with murder. Do we need to revisit that? Do we need to have a miscellaneous animal health and welfare Act that gets down to more detail? I heard the points that Deputy Penrose, who is very experienced in this area - I will not say weathered - put to Mr. McGrath and his colleagues. The Deputy said that while it is easy for the Department to make these wonderful laws and pass them on to the councils, if the councils do not have the money, they will not have the training, the resources or the people.

I do not always agree with Deputy Heydon, but I agree with him that horses do not belong in urban areas. Perhaps it is not popular to say this. I know there are people in urban areas who love horses. I am aware that it is part of their tradition. I am sorry to say that horses belong in rural areas. They are a bit like myself in that regard.

I thank Ms Power and Ms Myerscough for their presentations. The importance of education as one of the solutions came across hugely in what they had to say. I would like them to tell me more about their current funding position. What do they think they need to make a serious and meaningful impact nationally? We want to deal with the crisis. I know the Minister, Deputy Coveney, wants to do so. I feel the Department's solution was to round up the horses and euthanise them - I hope painlessly - but that does not appear to have happened because that was talked about 18 months ago. The horsemeat crisis has not gone away and has affected hugely the market where people brought their horses to be slaughtered and got their couple of hundred euro. That continues to be a reason there are so many extremely distressed, starved, neglected, tortured and abandoned horses all over Ireland. I agree with Deputy Éamon Ó Cuív on the betting tax. I wish HRI was here today because it gets magnificent funding from the Government. I know it is never enough and I know how important the thoroughbred industry is but the horse as a whole is important to us as a nation. The horse industry, be it for small breeders, is a pillar.

I have a question for Mr. Derek Icton. I note we have gone from quantity to much less quantity. Is he worried about quality? My husband kept telling me there were too many mares and foals in the country but now the numbers are down and, sadly, the number of breeders is down. Is there a problem with quality and what could be done to get some serious quality injected into the smaller breeders, in particular, to give them the ability to breed world class horse?

I ask Mr. Brendan McGrath if he has come across sulky racing and, if so, are there plans to control or ban it, particularly on the hard roads where there have been many deaths of horses? Has the Department provided council workers and the Garda with scanners so that if they come across a horse they can scan it to see whether it is registered? As many people have said today, registration is one of the names of the game. I could talk all day but as it is now 5.45 p.m. enough is enough.

Ms Barbara Bent and Dr. Andrew Kelly spoke about the donkeys. There are about two and a half donkeys who will be looking for homes soon. What are going to do about that?

Deputy Martin Heydon: Two thousand five hundred donkeys.

Senator Mary Ann O'Brien: Yes, 2,500 donkeys. I am trying to hurry. I know we are speaking about horses today but perhaps Ms Barbara Bent might say a few words.

The dairy industry is about to explode and I am aware that her organisation, the Irish Society for the Prevention of Cruelty to Animals, is worried about cows. I would like to hear from her as this is the right committee to speak about that issue.

Deputy Denis Naughten: I thank the various groups for their presentations. We all agree not only in regard to the equine sector but the beef sector and the food sector as a whole that health status is paramount and particularly as we are an exporting nation. The reality is that this is potentially a ticking time bomb and a reservoir for disease in terms of stray horses that have been abandoned. It is clear from the evidence we have heard today that the Department is paying about €3 million per annum to dispose of stray horses and local authorities pay about €2 million, a total of €5 million in that area. It is clear from the evidence provided by Mr. Brendan McGrath and Dr. Andrew Kelly that it is a growing problem and is not abating to any extent, based on the numbers coming through their organisations.

Dr. Kelly cautioned that changes to the disadvantaged areas payment could have an impact on donkey welfare if the rules were changed. As he is aware, the rules were changed regarding the disadvantaged areas scheme for horses. Did the changes to the disadvantaged areas scheme have an impact on the number of horses that seemed to have been abandoned? The other question is for the City and County Managers Association and the Irish Thoroughbred Breeders Association. Based on ISPCA figures, 10% of equines were thoroughbreds or ex-racehorses. All those animals would have been chipped. I am sure a substantial number of the other animals identified were chipped, but all the thoroughbred horses were chipped. On the change in SI 189 of 2014 were either of the witnesses' organisations consulted in advance of the change introduced last December by the Department of Agriculture, Food and the Marine? The ISPCA has said that while it was not consulted, the Department had consulted stakeholders. Both organisations are significant stakeholders. I come from a suckler farm and in the 1980s - the Chairman will relate to this - beef farming was very much about the ears on the cattle because that is how premia were paid. Once one had the head and the ears, that was the most important part of the animal. Thankfully, through decoupling, but also because of schemes introduced by the Department of Agriculture, Food and the Marine in regard to the suckler cow and promoting the beef industry, we now have one of the finest herds in the world. While there may be some debate about the new support scheme being proposed by the Department, the reality is that we have a premium beef product which we can export internationally. There is huge potential in regard to the equine sector. We could probably generate about €1.5 billion for the economy from this sector if it were properly developed. Should we be looking at developing something along the lines of the suckler cow welfare scheme for the horse industry to try to improve the quality of animals and selecting animals for their breeding qualities? The other side of it is that we need an outlet for those that do not reach the standard. In the beef industry that was easy because they were put into the processing industry. That is not possible for the equine sector for many of the animals that are not chipped. How does one deal with that aspect?

I have one final question to Ms Sharon Power based on her evidence. She spoke about the importance of education and training. We all agree on that. Reverting to the beef industry, edu-

cation and training, particularly of older farmers, is important and an integral part of the suckler cow support schemes. Does Ms Power consider there is a need for something similar to what her organisation is doing but expanded to all horse owners throughout the country and to the industry as a whole and not just young people from disadvantaged backgrounds?

Chairman: We have questions directed to each of the groups. I propose to take the responses from the groups in the order in which they made their presentations. I will take Mr. Iceton and Mr. O'Dwyer first.

Mr. Derek Iceton: As there are a lot of questions, please remind me if I omit any. An overarching question has come through about the registration of horses and the Department's computer system with regard to cattle. I am a cattle farmer. The Department does not need to reinvent the wheel. Unfortunately, the movement registrations system it introduced was a paper-based system. The paper-based system broke down. I will give an example. At Goffs last year, if one was a vendor of a foal or a yearling, one had to sign one piece of paper. The sales companies, whether it was Goffs or Tattersalls Ireland refused to handle that piece of paper because it was not within their remit to do so and the purchaser was supposed to go to the vendor and get the piece of paper and then remit that piece of paper back to Weatherbys. I cannot understand this nonsense when it already has a tried and tested system with regard to cattle. The same proviso in regard to Goffs and Fairyhouse applied. We recommend that it be put into force with due haste.

On Deputy Ó Cuív's question, I hope we reach a stage at which we can get a proper percentage from the betting industry. What would we do with it? We were here last year and spoke about the alliance for racing. The most important thing we can have is good prize money for racing. From that, there is a trickle-down effect. If racing is profitable, people want to buy horses. Moreover, the general standard of horse in training also increases. As a breeding nation, we are breeding from the females in the racing industry here.

I spoke previously about a mare depreciation scheme. Deputy Penrose asked a question in this regard but I will wait until he returns before I answer it.

Chairman: He may not return so Mr. Iceton should just answer. The response will be on the record.

Mr. Derek Iceton: With regard to the mare depreciation scheme, breeding horses is unlike any other type of farming activity. There is a tendency to have great peaks and troughs in income. The problem is that when there is a peak, one cannot average one's income. Therefore, I would like to see an arrangement similar to that for farmers under 35 years of age, whereby they can reinvest profits immediately without paying the tax. This is not an issue for the bigger breeder, obviously, because he will always have plenty of animals breeding. If a smaller breeder has a bonanza year, it should be worth his while to invest the money earned in a better mare.

With regard to the other money, we would like some other facilities, such as all-weather paddocks and lunge rings. If one is to produce horses, one needs the facilities to do so. In a wet climate like ours, we need proper facilities. It would be helpful if we could have a scheme whereby younger breeders, in particular, could invest in their farms and install proper all-weather facilities, including lunging facilities, to allow them to produce the horses they need to produce.

Marketing is incredibly important. I instanced previously that we have a business here that

is worth approximately €1.25 billion, yet our marketing budget is €1.5 million. A number of years ago, Dairygold relaunched Dairygold on the Irish market, in which it was already a market leader. Its budget for the relaunch was €1.25 million, yet we are trying to sell horses to the whole world with the tiny marketing budget that we have.

As I said in my presentation, the real markets for us are in the Far East, Middle East and North America. It takes money to break into them.

Mr. Shane O'Dwyer: The thoroughbred industry has the capacity for growth of 12% to 15%. International bloodstock markets are in good health and we have an export nation that exports 80% of what is produced. If we had a correct funding mechanism in place and were looking for 2.5%, which could generate around €100 million, it would result in reinvestment in the industry. It would go to owners. We need owners to reinvest in the industry. Every €1 that is added to prize money is worth about €8 to the local economy. That is what one is doing with the money. We have to increase prize money.

Deputy Penrose mentioned the United Kingdom. Our most valuable race, based on international rankings, is the derby. It is ranked No. 52 internationally. Approximately 70% of the prize money on offer comes from the entry fees paid by owners. Generally speaking, owners contribute 30% through entry fees. Potential returns to owners are much worse in Ireland than in any of our competitor countries. Therefore, it is important that we bear this in mind.

It was mentioned that charges are too high for owners. To defend Horse Racing Ireland, it has appointed, through Irish Thoroughbred Marketing, a person with special responsibility for ownership. He is examining ownership costs and reducing them. Last year at this forum, this matter was raised and action has been taken in this area.

Deputy Ó Cuív mentioned stallions and the stallion tax. The most important lever in the development of the thoroughbred sector and industry was the stallion tax exemption. This incentive cost the State nothing and encouraged people to stand horses here. It gave broodmare owners the opportunity to gain access to high-quality bloodlines. Since its removal in 2008, the number of stallions fell, as predicted. It fell from 414 in 2006 to 216 in 2014. There have been no new entrants to the stallion business.

Equally important, there has been a shift of the highest quality stallions to the United Kingdom. In 2004, Ireland had seven of the top ten stallions in Europe based on nomination fees. Now we have four. Having stallions here attracts foreign direct investment and it brings in mares. As Mr. Iceton said, the benefits trickle back down to the small breeder.

On the subjects of prize money for smaller breeders, the national hunt and people with one or two mares, we in the ITBA introduced a scheme, a self-help scheme, a couple of years ago to improve the broodmare band in respect of national hunt fillies, encourage breeders to sell their fillies and to have a market for them, and encourage the owner-breeder to put mares in training. With these objectives in mind, we added €5,000 to the prize fund for the winning owners. It has made a little bit of a difference. We talk about increasing this by 10% to 12% by being able to sustain just in excess of 9,000 foals. We want to be able to make sure that we concentrate on quality. Particularly for the small breeder, the better the racing rating, the better the broodmare will be in the covering shed. That is what we are striving for. With initiatives such as those mentioned by Mr. Iceton, with the increase in the prize fund and with the encouragement of the smaller breeders, I hope we will not lose too many people who fall off.

Mr. Derek Icton: The final thing I have on the shopping list for Deputy Éamon Ó Cuív is the maintenance of our health status. This ties into what Deputy Naughten said. I cannot state how important our disease-free status is. Our competitors are anxious for us to have even the smallest issue, which can arise in any sector of the business. A number of years ago, and only because the Irish Equine Centre was so on the ball, we managed to keep the yearling sales in Goffs open. Just two weeks before that, it looked very difficult. Goffs' yearling sale is the Rolls-Royce sale in Ireland. Luckily, on foot of a disease outbreak that started in Northern Ireland but which was basically regarded as an outbreak on the island of Ireland, the Irish Equine Centre managed to do what was required and we stayed open for business. That just goes to show how vulnerable our industry is. We need to keep our disease-free status.

Deputy Martin Ferris asked about prize money. Mr. O'Dwyer has covered this. Deputy Ferris also asked about harness racing. He was alluding in particular to harness racing in the stadium in Dundalk. I have no issue with harness racing taking place there but with one major proviso, namely, that the animals that take part in the sport be of the same health status as the other horses that perform, be they showjumping horses, ponies, or otherwise. The biggest issue we have in the racing industry is respiratory virus. It is a devil to get rid of. If the harness-racing horses are of the same calibre and health status as the others, I am more than happy. We do not want circumstances in which we bring in horses in respect of which we do not know what is going on.

Deputy Penrose asked about racing in the United Kingdom. Circumstances are dreadful there. I thank the Government and those responsible for the cross-party support we received last year in respect of the increased prize money for the racing industry. There was a very worthwhile venture between all the constituent groups and I am delighted to see it worked.

Deputy Penrose might agree with me in saying that if further money becomes available, perhaps not all of it should go into prize money. I would like to see some of it going towards a reduction in the cost of having a horse in training. In other words, I am referring to the cost of entering a horse in a race and other such factors. That hits everybody. Although winning a race is great because it allows everyone to pay his dues, it would be nice to reduce somewhat the expenses pertaining to the average horse that does not win a race. The committee asked what percentage of horses are registered. For the non-thoroughbred industry, it is in the low thousands, and in the thoroughbred industry, it is about 7,000 horses. Every one of them is registered and micro-chipped. As a cattle farmer, I live in fear of losing a tag or the Department coming in and finding that my herd register is not as it should be. I would really encourage the Department of Agriculture, Food and the Marine to get on top of that aspect.

Reference was made to issues with veterinary products. This is quite interesting because currently the most simple antibiotic of all, crystalline penicillin, is an illegal product to use on horses in Ireland. It is also the product that has the lowest threshold of issue in relation to human health, but because this product is not available, due to very simple administration, vets cannot use it. Two years ago we had a problem with an abortion vaccine which was available over the Border, but no vet could legally give it here. Last year, we had a problem with supplies of a reproductive hormone running out, yet it was available throughout the rest of Europe. Perhaps the Department would investigate putting the horse into a minor species status. I am not looking to use any product we should not use, or any product that is not safe to use, but if it is safe to use in Britain and Germany and France then it is a pity not to use it here.

The other problem is that the market for veterinary products has become so small that most of the pharmaceutical companies now do not want to research new products or vaccines for us.

Deputy Heydon asked how we compare with the UK. Its national hunt industry now has less than 600 mares in England and it worries me to see our national hunt band also falling. At our premier national hunt sale, which is in the Derby sale, 15% of the horses are French bred. I would hate to get to the situation where horses are being bred in France for us to buy in order to sell them in our premier sale. It is something we need to keep an eye on but we are up against a breeding and racing industry that is heavily subsidised. I thought we were supposed to be in a Single Market but these are the people who strongly advocate against us and for racing and breeding in France. It is a real pain.

Deputy Heydon asked about the foal levy. There is a levy payable on every thoroughbred foal. Only the Thoroughbred Breeders' Association can attend to the international issues in relation to horses and the national issues, etc. We are the representative body. Irish thoroughbred marketing has to be co-funded by the breeders' association. We must do this by statute so we have to raise the money and a big chunk comes from fund-raising. The figure of €800,000, which is by far the biggest amount of money, comes from breeders and goes into the Irish Equine Centre. That is what the money is used for. It is also used for the alliances for racing and for veterinary procedures. I am pleased to say that our European lobbyist is here today in the Visitors Gallery. We are working on behalf of breeders everywhere.

The levy is based on the amount of fee and is more than progressive. For example, the most expensive foals - the top 11% - will pay 40% of the levy. An average levy of €65 will be paid for 53% of the foals. That is to pay the Irish Equine Centre, Irish Thoroughbred Marketing and all the myriad schemes that we have put in place. I suggest this is incredible value for breeders. When, in the cattle business, I look at my returns from the meat factories and I see the stoppages coming out, then the foal levy is small beer. The Irish Thoroughbred Breeders' Association does the best it can with that money and there is a 98.3% compliance rate with the levy. This House would be delighted if every tax had the same level of compliance.

It has been suggested that we might bring in a mandatory sales levy. A levy proposed by others was to be 1% and only apply to sales of horses in Ireland. Unfortunately the only cohort that would get hit with that levy is the commercial Irish breeder who sells in Ireland. The breeders who sell in Britain would not be caught with it and neither would the big owner breeders and the bigger farms in the country, so I cannot see the merit in that. It is something towards which we are pretty reactive, to try to change. We are trying to make it fairer on everybody.

Senator Mary Ann O'Brien was concerned about quality, and it certainly is a concern. We have had too many mares and we have gone through a dreadful period of reorganisation in the business. Unlike any other form of animal, the supply does not just cut off. We have to keep running with it. Mr. O'Dwyer has suggested 9,000 as the figure we can probably produce, but it must be quality. The world market shouts quality. I am pleased to say that no matter where one looks at racing throughout the world, most of the top horses in Hong Kong, Singapore and Australia at the moment are Irish and Irish bred. That is where our future market is. The drive is for quality and for that market. I hope the British market improves but it needs to get a few quid off the bookmakers to improve it.

Mr. Shane O'Dwyer: In regard to whether the legislation is robust enough, we believe the end user has to be held responsible. There must be proper policing and local authorities need to be funded. I agree with the committee about the urban problem. I welcome Deputy Naughten's question on whether we knew or if we were informed about this issue. We had concerns and Mr. Iceton has referred to the fact there was a little confusion about the whole thing at last years' sales. The Irish Thoroughbred Breeders' Association has a close relationship with the

Department of Agriculture, Food and the Marine and we highlighted the fact that it needed to be looked at. We did not know that the statutory instrument had been introduced. We and other witnesses present are members of the Farm Animals Welfare Advisory Council, FAWAC, and the equine liaison group within the Department. These are the issues that require consultation before anything is implemented. It is going in the right direction and I am hopeful that, given time and with computerisation, it will work.

Mr. Derek Icton: We were not notified that there was a change in the statutory instrument. It was news to me today and I find this shocking. The committee asked about the breed improvement scheme. It is difficult because it is not like the cattle industry. One is not producing for a particular trade. We meet breeders throughout the country and try to show them how to produce a better horse in all shapes and forms. These meetings are usually well-attended. I do not wish to give a negative view of our industry. We are fortunate to have plenty of young and older successful breeders. The country is full of good breeders. My concern is for some of the smaller ones who are going through a tough time at the moment. I thank the committee for its attention and for the questions.

Mr. Brendan McGrath: I trust that the respiratory symptoms displayed by Senator Mary Ann O'Brien and me are not symptomatic of what my colleague discussed earlier. Deputy Ó Cuív, Deputy Heydon and Senator Mary Ann O'Brien all referred to the urban horse phenomenon. The question was asked whether horses in urban areas should be allowed. I concur that the short answer is "no". In an ideal world there should not be such horses, but it is a fact of life that there are. On my way here today I received a text with an image attached from a councillor who resides in a local authority estate. The photo showed three horses walking around his front lawn. That is neither acceptable nor desirable in a modern scenario and it causes untold problems for residents in such estates and adjoining areas. Deputy Ó Cuív asked if we know how many of the horses are Traveller horses. We do not know that figure but, anecdotally, in Galway city, a significant number of the urban horses are associated with the Traveller community. As a consequence we have to deal with the underlying issues. There is a significant space to be occupied by urban horse and other horse projects generally throughout the country. The local government sector has collaborated on several initiatives, such as the Dunsink and Limerick Horse Project, which is a model of excellent practice. We have to take what we have learned from those projects, disseminate it and introduce it in some properly funded projects around the country. Those projects must be community-led and supported and have multi-sectoral involvement. Those are some facets of the learning that must be disseminated. They have to be bottom up. They will not succeed if they are top down. We advocate and support those projects and the sector as a whole has said it will willingly commit to, and get involved with, projects that are brought forward.

The Department of Agriculture, Food and the Marine announced a fund last year and invited applications and several local authorities expressed an interest in that, including Galway City Council. Local authorities have land banks. We have access to land that the National Asset Management Agency, NAMA, and other agencies have. It is possible to bring forward planned, structured, multi-stakeholder plans, involving all the agencies, the Garda, education and training boards, Tús, the local government sector, the Traveller support agencies and so on. That enables us to deal with some of the issues Deputy Ó Cuív spoke about, in terms of having a controlled response and reducing the criminality, which enables us to go after the horses that are utterly illegal and outside the scheme. The sector would welcome a structured, funded approach and a stream of funding. That stream needs to continue because we will achieve nothing if we operate on an *ad hoc* or a non-integrated way. We need to break the cycle. In our

submission we spoke about research. We understand many of the anecdotal reasons underlying the keeping of urban horses but we need to back those up with evidence. That does not need to be a very lengthy exercise. If the Department led out on it, the other partners in the sector could contribute to it. Let us for once and for all determine the best way to break that cycle.

Deputy Martin Ferris talked about harness racing and Senator Mary Ann O'Brien talked about sulky racing. I presume the reference to harness racing refers to organised, structured racing, like that in Dundalk. Sulky racing is often a problem on public roads. The local government sector regularly gets complaints from concerned motorists and landowners about sulky racing. Generally, it comes under road traffic legislation. It is problematic and difficult to deal with. One local authority has specifically adopted by-laws but to date the response has been under road traffic legislation. We certainly concur with Deputy Martin Ferris and others who spoke today that traceability and responsibility are key to this.

Deputy Penrose spoke about the transfer of resources. We have made the case that what we recoup from the Department of Agriculture, Food and the Marine is not sufficient to refund the local government sector. It is costing the sector a significant sum of money. We have told our colleagues in the Department that the current approach needs to be more structured and formalised. There is no service level agreement, SLA, with the Department but there should be one between the local government sector and the Department. That would enable a more structured approach. Scanners are a routine piece of equipment and our veterinary officers have them.

Part of the reason that seizures cost between €800 and €1,100 per horse is that there are significant problems. It is no exception that in many cases we must engage other stakeholders, particularly the gardaí, to help us in round-up and collection of horses. That tells a story in its own right. Seizing horses often has to be planned for out of hours, early in the day, and cannot be publicised. One of the speakers told of how difficult it is to retrieve a single injured horse and the amount of resources that took. It is difficult to try to go into certain environments to collect horses where we are not welcome and where there are significant health and safety concerns. As employers we have other legal obligations in respect of the safety, health and welfare at work legislation. That is why it is so costly. We generally have to engage contractors to assist us in the work. We are tendering for that. There are a very limited number of contractors in the business. That is a significant problem, which reflects the cost to us. Speaking anecdotally, in Galway City Council 84% of the money that I, as chief executive, will spend this year is collected locally. It comes largely now out of property tax or rates. I am accountable to the councillors for the money I spend. Over the past three and a half years Galway City Council has spent a net €260,000 collecting urban horses which could be better spent elsewhere if we had a fundamentally different approach.

Deputy Penrose asked another question, which is not, I understand, specifically related to the work the committee is doing, about the proposed veterinary shared service. At its simplest, it is not proposed as part of that to remove from any county or city the existing veterinary officer. It refers to putting in place a regional chief veterinary officer to facilitate a coordinated approach and involves enabling vets at the extremities of counties to go over the boundary if a premises requires a food safety inspection. Instead of a vet having to travel the entire length or width of a county, a vet from a neighbouring county can cross over. That is the kind of practical arrangement being discussed. There is no proposal whatsoever to remove a vet from any county; it is quite the opposite. Part and parcel of the change is to strengthen the veterinary service at local government level. That is the response for Deputy Penrose in his absence.

I concur with Deputy Heydon's comment that prevention is better than the cure, which goes back to research and the urban and rural horse projects.

The resource issue does not determine spot checks. Our response at local government level has tended to be largely reactive. The local authority sector has lost more than 30% of staffing resources across the organisations, down from a high of 37,000 to 26,750. That varies between 20% and 30% across every authority. Our responses are sometimes reactive rather than proactive when resources are squeezed and we are under pressure on the housing or transport front, or whatever. Squeezed resources mean we have to tailor our action accordingly. That is a practical problem that we try to deal with daily.

We were asked about the level of legislative intervention. It is the view of the local authority sector that generally the suite of legislation is adequate and robust. I refer the committee to our submission of February of this year, where as an appendix we highlighted several technical and procedural changes that we would recommend for the legislation. If they were corrected, with the suite of legislation that exists, they would go a long way to dealing with some of the lacunae or vacuums we encounter. We also stress that we require multi-stakeholder involvement, and there must be a more structured approach. It is very important for us that we have a service level agreement with the Department of Agriculture, Food and the Marine. We heard the point about the appointment of authorised officers. We hope the current arrangement that the Department has with the Irish Society for the Prevention of Cruelty to Animals, ISPCA, and the Dublin Society for the Prevention of Cruelty to Animals, DSPCA, could be more structured with the local government sector, which would go some way towards addressing some of the lacunae. I think that answers Deputy Heydon's questions.

I hope I have answered Senator Mary Ann O'Brien's questions about the legislation, sulky racing and the scanners. That brings me to Deputy Naughten's questions. Typically, between 10% and 12% of the horses we seize are microchipped - or, to put it another way, close to 90% are not. Based on the figures we produced, we seized close to 5,000 animals in 2014. The numbers so far in 2015 suggest the total will be in or around the same level. We were not consulted about the change to the statutory instrument. The changes emerged as news to many of my veterinary colleagues within the local government sector. I hope that answers the questions.

Ms Sharon Power: In response to Deputy Ó Cuív first, in our experience urban horse communities are not just Travellers; it very much depends on the area. For example, in most areas of Dublin, the horse-owning community is a settled community, and the same is true of parts of Limerick. Other parts of Limerick have second-generation Travellers. In some of the bigger towns around the country and outside of towns, there are Traveller communities.

The way forward is for structured horse projects working in conjunction with the local authorities and providing education. That is the key to solving the problems in the long term. However, in our experience there is a need for ongoing management by a committee of the stakeholders or other groups. The Deputy also asked if most of the horses were abandoned, neglected or abused. Most horses that are abandoned are simply abandoned. They are seldom well cared for and the more cruel actions take place in urban areas, which relate to over-use, misuse and cruelty.

Senator Mary Ann O'Brien asked about funding and the funding models for running courses and providing education. I probably should have pointed out earlier that we do get some funding from the horse industries and the Department of Agriculture, Food and the Marine but almost three quarters of our funding comes from fund-raising and donations. In terms of run-

ning courses, we have funding this year, for example, from the Department to run two courses which cost approximately €5,000 each. I will hand over to my colleague, Ms Owens, to speak about the costs involved in our most recent horse projects and that will give the Senator an idea of costs. In general, once there is land available from a local authority, the costs of running a horse project are not significant.

Deputy Heydon asked about horses being in urban areas. Nobody wants horses in urban areas as it is not a suitable environment for a horse and it is a very dangerous one. The very first time I went to Moyross, I said that people in towns should not have horses and that they should be all removed, much as the Deputy said. However, 20 years on, I realise that system has failed. From working in disadvantaged areas, where a lot of horse-owning communities are based, I realise there is a genuine passion for horses among many of them, which could be harnessed for educational purposes and also to solve the urban horse problem, not to mention other issues such as helping with anti-social behaviour and drug prevention. We have a testimonial, for example, from the Garda youth diversion project in Moyross which states that the Irish Horse Welfare Trust horse project was the single most effective way of engaging with marginalised young people. Other agencies also help to fund courses such as the HSE, the Garda youth diversion projects and community groups.

Deputy Naughten asked about consultation on the changing of the statutory instrument. We were not consulted on that. The massive number of horses that have been destroyed has not been mentioned in the three-year period up to 2014. I believe between 60,000 and 70,000 horses were destroyed. That is worth mentioning at this meeting.

Deputy Naughten also asked about the expansion of courses to a wider group. That would be ideal if it were possible. There is a large population of young people with a passion for horses who could take up a career involving horses. That should be used as something positive, as we could potentially provide grooms and riders in the future as well as addressing issues of horse ownership in urban areas. We would be quite happy to enter a service level agreement with the Department or with any other local authority to help set up projects. We have offered the service previously but initial engagement between communities and local authorities is often difficult and can be a stumbling block.

Deputy Denis Naughten: Could Ms Power just clarify the number of horses that have been destroyed and over what period? She referred to 60,000 to 70,000 animals. The local authority and ISPCA figures are significantly lower than that. What is the source of Ms Power's figures, and to what period does it correspond?

Ms Sharon Power: There was a report recently in the *Irish Independent* that quoted a figure of between 60,000 and 70,000 horses being destroyed in the three years up to the end of 2014 across the Twenty-six Counties. I think the figure of 5,000 relates to Galway.

Ms Claire Owens: I do not think that figure is correct.

Chairman: That is just for one year?

Ms Sharon Power: It is 4,000 per year.

Chairman: If one adds up the numbers, they come to approximately 16,000.

Ms Sharon Power: I read a report floating about that said the figure was between 60,000 and 70,000.

Chairman: The figures we have relate to the local authorities, but do not include the ISPCA figures.

Dr. Andrew Kelly: We were talking about the number of calls to our cruelty helpline, which was about 1,700 per year, but over a seven-year period we seized 401 horses.

Chairman: Does the ISPCA have a figure for the number of horses destroyed?

Dr. Andrew Kelly: No.

Chairman: I am sorry. I thought the ISPCA did.

Ms Sharon Power: That figure is in the media. I will hand over to Ms Owens to talk about the horse project on which she is currently working.

Ms Claire Owens: Deputy Ó Cuív asked if a rough costing was done for any horse project. We are currently in discussion with Wicklow County Council on a proposed equine project that will involve working with members of the Traveller community. The basis for the project is that Wicklow County Council would provide a site and that we would manage it. The costing we submitted to it to manage the site amounts to €5,000 per quarter.

Deputy Éamon Ó Cuív: Is that €20,000 per year?

Ms Claire Owens: It is a pilot project for a maximum of 16 equines and two families on 21 acres.

Deputy Éamon Ó Cuív: Is there a set-up or capital cost - for example, for stabling?

Ms Claire Owens: There has to be fencing and an upgrade to a building, which would be an additional cost.

Deputy Éamon Ó Cuív: Are we talking about €200,000?

Ms Claire Owens: The fencing is about €20,000 and it is €5,000 for the building. There is a structure in place so it would just involve making it safe and secure.

Deputy Éamon Ó Cuív: The local authority in Wicklow is very efficient.

Ms Claire Owens: That is a proposed project. It would be slightly different to the Dunsink project because it is specifically aimed at the Traveller community.

I work as a welfare officer for the Irish Horse Welfare Trust. I work on the ground with a lot of horse owners. Two areas need to be highlighted that feed very much into the problem of unregulated horses. The monitoring of ports must be addressed. There is not enough funding or resources to properly monitor the movement of horses in and out of Irish ports. Trucks come into urban areas and horses are sold off the back of a truck for €50 or €20. That feeds the unregulated urban horse problem.

Another area on which we have received many unsubstantiated reports from different sectors of the community relates to pounds. We would like to see better regulation in that regard.

Deputy Éamon Ó Cuív: Could Ms Owens please clarify what she said? I understood from Ms Owens's comment to Deputy Naughten that if one could take all the mares out it would result in a reduction in the number of horses the following year, but there seems to be the same

number. Does Ms Owens say the horses are coming in through the North or in boats across the Irish Sea?

Ms Claire Owens: I am not sure, but the ports cannot be properly regulated for the movement of equines at the moment because the resources are not there to monitor the trucks.

Deputy Éamon Ó Cuív: If one were moving cattle or sheep the health implications alone would mean that one would bring the clampers down. There would be total war if that was happening with any other type of animal. I am very surprised to hear that. The matter is worth investigating by the committee.

Chairman: I agree. There was a problem with dogs being exported which has been somewhat dealt with but not satisfactorily but the situation is much better under the dog breeding legislation. That information is news to me.

Deputy Denis Naughten: Can Ms Owens say what sort of numbers are involved?

Ms Claire Owens: No, I cannot. It is only from what I am seeing in my work on the ground. If I am working in a particular area where there are urban horse owners, I work with those owners and I see new horses coming in. That is where some of those horses are coming from. Some of them are being bought and sold through their own process of buying and selling while some of them are breeding mares and then guys are coming in with trucks and they are buying them off the back of the trucks.

Deputy Éamon Ó Cuív: They are coming on the ferry.

Chairman: I imagine there are limited access points but that could be dealt with.

Deputy Éamon Ó Cuív: There is a big enough problem here without importing the problem.

Ms Claire Owens: It just seems that the resources are not in place to monitor the equines.

Chairman: They are watching trucks that bring in cattle or sheep. The same people are standing there and one would imagine that when a ferry docks, every vehicle carrying livestock could be examined. It is different from contraband that can be landed in a quiet little inlet somewhere; horses are not small animals. We should take up this matter.

There are questions for Dr. Kelly and Ms Bent.

Dr. Andrew Kelly: Deputy Ó Cuív asked about funding streams. It has been mentioned that the Department of Agriculture, Food and the Marine made €1 million available for projects to deal with some of these issues. The ISPCA has joined with Cork City Council to put in a proposal for a mobile education unit that would reach out to all communities with equines in the Cork area and possibly reaching up into other parts of Munster as well. That would be funded for two years, with the aim of the ISPCA taking on the baton after the two years. The full cost of the proposal for that two years would be around €140,000. The funding is an issue. We would also like to recruit a dedicated full-time education officer who would recruit a team of volunteer education officers around the country to deliver those kinds of educational programmes. We are also looking at developing our site in Mallow to have a permanent education centre there where we could bring in people for education purposes and where they could have hands-on work with the horses and learn how to care for them appropriately.

We recognise the affinity that some members of the Traveller community, for example, have with their horses and we want to work with the community to provide them with the resources they need. Some of the cruelty we see is through a lack of understanding, lack of availability of resources and lack of access to veterinary care. If we can provide those things, the horses and dogs that we work with become more valuable to them. That is what we would like to do in the future.

Deputy Martin Ferris asked whether the cruelty we see is more related to the horses that have been abandoned. Certainly, those that have been abandoned will suffer and they will starve to death if there is no food available. They may injure themselves if they are in a poor environment, but we also see cruelty in cases of horses that are, at least on paper, being cared for. It is not confined to members of the Traveller community but rather it occurs across all sectors of the equine community. In particular, we see problems in some halting sites, but by no means in all sites. However, we need to work with those communities in order to change that situation.

Deputy Martin Ferris also asked about our views on penalties for animal welfare offences. I mentioned in my presentation that the ISPCA has initiated 45 prosecutions since the Animal Health and Welfare Act came into force. I will provide details on three of those cases which have been finalised in court. The first case was for tail docking of puppies which is now illegal under the Act. A father and son pleaded guilty. The son pleaded guilty to allowing his father to do the docking and the father pleaded guilty to doing the docking. They appeared in court and they were not convicted, despite the facts not being disputed and despite the fact that they pleaded guilty. The judge elected to invoke the Probation of Offenders Act and that is a matter for the court. They were invited to make a donation to the ISPCA. We might like to see higher penalties in those circumstances. The second case involved a dog that had been abandoned when a person moved out of the house and left the dog with a bucket of water that it could not reach. That individual was ordered to pay costs of €400 to the ISPCA. The third case was a one of causing unnecessary suffering to a dog that died of parvovirus and a fine of €100 was imposed in that case. Important in that case, the judge also issued an order limiting the number of dogs that could be kept on that halting site to one per adult. This allows us to deal with that particular issue in a different way in the future.

Under the Protection of Animals Act, one of the cases that came to court last year was a case where we found several dead horses and several suffering horses in very poor condition. Despite not disputing the facts of the case, the judge elected not to convict and, in fact, actually said that if the ISPCA inspected the property in six months and everything was up to scratch, he would not convict. However, in that six-month period, the chap involved sourced another 40 horses and the situation is essentially a ticking time bomb.

The Animal Health and Welfare Act is a very good piece of legislation. It provides for penalties and fines of up to €5,000 and-or up to six months' imprisonment for cases in summary and on indictment, up to €250,000 and up to five years' imprisonment. The penalties are there but it is a matter for the courts. Our job is to bring the cases to court. Sadly, it is a damning indictment of other agencies that it is a charity that has brought these cases to court. In so far as I am aware, no other agency has yet brought a prosecution under the Animal Health and Welfare Act. We are working with the Garda Síochána and the Department of Agriculture, Food and the Marine in this regard.

Deputy Martin Ferris also asked about harness racing. As Mr. McGrath said, if the health and welfare of the horses is protected and the harness racing is regulated, then it is good because it takes it off the roads. In the case of sulky racing, we see some horrendous injuries to horses

on a regular basis around the country. They have collided with cars and been dumped at the side of the road. We would like to see sulky racing taken off the road but the local authorities and the Department of Agriculture, Food and the Marine then have a responsibility to provide off-road facilities where it can be regulated and the health and welfare of the animals can be protected. We have called for this in the past.

Deputy Penrose asked the percentage of horses we come across that are not micro-chipped. Similar to Mr. McGrath, 85% to 90% of the horses we deal with are not micro-chipped. In the case of the small proportion that are micro-chipped, we find that the owner denies all knowledge and says the animal has been sold on. Deputy Penrose asked about *ex gratia* payments. Last year the ISPCA received €210,000 from the Department for which we are very grateful. This amounts to approximately 7% of our annual expenditure.

Deputy Heydon asked about penalties for failure to micro-chip animals. If an animal is not micro-chipped, it is very difficult to impose a penalty because the owner is not known. On a small number of occasions, we may come across a horse that has been micro-chipped and may be able to trace the owner. However, as I indicated, there are significant penalties to be imposed but the courts seem not to impose high penalties for these kinds of offences.

Senator Mary Ann O'Brien asked if the legislation is sufficiently robust to deal with these issues. I have cited the penalties imposed in a number of cases. The legislation is in place and it is good but perhaps guidelines for the judges might be useful. We would like to see higher penalties in some of these cases.

Deputy Naughten asked about the disadvantaged area scheme. I am not aware that there was a marked change in the number of horses being abandoned at that point in time but that might have been masked by other things. The donkeys may be more noticeable if they are dumped when the disadvantaged area scheme is scrapped if this happens in the future.

I am very pleased that committee members have all made positive comments on the need for traceability. I hope we will see a review of the statutory instrument to make sure there is full traceability for horses.

Ms Barbara Bent: I have grave concerns about the number of donkeys involved in the disadvantaged areas scheme. I think the last figure was 2,280. If the scheme is scrapped - we believe it may be - we will have to deal with a huge number of donkeys. We, therefore, need a proactive approach before the scheme is scrapped to decide what is to happen to them.

Sulky road racing is one of my pet problems. If we are reviewing the control of horses, it is not the actual racing that is the problem but the training. We are sitting on another time bomb in about five counties. One of these days one of the ponies will run away on a main road and there will be a major incident in which people might be killed. From an animal welfare perspective, the number of horses injured sends a very bad message to tourists. People travelling in double-decker buses rang our helpline and centre in Mallow to complain when they saw six-month old foals trotting up and down side roads and byroads with two or three kids on them. People abroad think we are absolutely crazy in Ireland to allow such a carry-on on main and side roads. It sends a very bad message to visitors from an animal welfare perspective.

Mr. John McCarthy: To help the committee with numbers, I refer to the submission we made to the Department on 27 April 2014. In the appendix on pages 6 and 7 members will see two tables. One provides an analysis of horse seizures and disposals, while the second indicates

the numbers of horses slaughtered at approved Department and local authority plants in 2010, 2011 and 2012. The committee might find this information helpful.

Chairman: That is great. I thank Mr. McCarthy.

Deputy Éamon Ó Cuív: One thing that comes across as extraordinary is that we cannot seem to get to grips with the problem of ensuring all horses are microchipped. As they are not small animals, it is not like dealing with cats where one could breed 100 very quickly. Horses have a longer gestation period. As they are big animals, it is amazing that we cannot settle this issue once and for all.

On the comments made about the import of horses, at one stage we were looking at offering a bounty for six months or paying €100 for every horse brought to a knackery, including abandoned horses that had not been microchipped. However, it would be pointless if they were being brought in by the back door. This seems to be the No. 1 point that we must deal with.

Chairman: We were all taken aback by that fact. I thought I knew a lot about horses, but I had never heard that one.

Ms Claire Owens: It is something of which I am very much aware in my dealings with horse owners.

Ms Sharon Power: I realise my error in respect of the figure of 60,000 to 70,000 horses. That is actually the number of horses destroyed, including in registered abattoirs. It is approximately 24,000 per year. Ten years ago the average figure was 2,500 per year. It reflects the numbers of unwanted horses and horses being bred for the factories.

Chairman: There was an explosion in the numbers of horses at a time when people should not really have had them. They became a status symbol. They then realised they had to feed and do a lot of other things with them.

Ms Sharon Power: This is not a country known for breeding horses for meat.

Deputy Martin Heydon: Following on from Deputy Éamon Ó Cuív's comments, I would have grave concerns about any system under which a lump sum would be paid to bring them in because of the risk of incentivising the practice, which would be a problem.

Touching on the point made about microchipping, I heard a story about a garda arriving at a scene where a horse had been knocked down and killed. The garda asked a local who owned the horse, but nobody could find out who owned it. Somebody asked who would own a dead horse. The same thing applies. It comes back to the point about being reactive or proactive. My next question is for Mr. McGrath. What do the local authorities have to do to get the subvention from the Department of Agriculture, Food and the Marine? That goes back to my earlier point about whether we can go into certain areas where we know there are many horses. It seems logical to me. We are finding many horses that are very distressed or are dead in these situations and, inevitably, they turn out not to be micro-chipped. If we go into an area where there is no problem on a given day and do an on-the-spot check and find that a load of horses are not micro-chipped, can we seize them or does a horse need to be in distress before local authorities can access the money from the Department?

Senator Mary Ann O'Brien: Again, I refer back to the legislation. I have a question for Dr. Kelly. Did he say that there have been no prosecutions?

Dr. Andrew Kelly: I think one was brought by Cork City Council. Most of the prosecutions have been initiated by us. We prepare the case file and either the gardaí or the Department of Agriculture, Food and the Marine takes the file. None of those 45 cases that we initiated would have been taken if we did not exist.

Senator Mary Ann O'Brien: I have a question for Ms Bent. I think the Irish Society for the Prevention of Cruelty to Animals will be back before the committee in the autumn, or next year, regarding the dairy sector. When we were outside, Ms Bent spoke to me about the case in Myshall. If a prosecution does not take place in this case, we may as well give up. Could Ms Bent say a few words on that case?

Chairman: This is straying from the subject matter.

Ms Barbara Bent: The case is going to court, so I do not think we should comment too much on it. This is not the forum to discuss the dairy industry but with the expansion in the dairy industry, we need to look at possible welfare implications coming down the track.

Chairman: We produced a report on managing volatility. It is the same with horses. If the business or enterprise fails, welfare tends to go out the window. It is part of it but it is not an issue for today. Does anybody want to come back in?

Mr. Garrett Shine: I will reply to the question about the subvention from the Department of Agriculture, Food and the Marine. There is a set procedure and a form we must fill in that specifically covers the cost of seizure, the subsequent boarding of that horse up to a maximum of five days and the knackery costs if it is euthanised. It is very structured around the seizure and disposal of the horse. It does not really cover the targeted and pre-emptive approach suggested by the Deputy whereby we would target groups of horses which we would scan and try to pre-empt the problem.

Deputy Martin Heydon: If local authorities went in and were pre-emptive, they would not be able to access that funding.

Mr. Garrett Shine: Not under the current arrangement between us and the Department.

Chairman: We have a lot of food for thought here. I thank all the witnesses. As Mr. Icton said, Ireland is the home of the horse and yet we see an attitude and behaviour towards horses that could undermine it. None of us could accept that. It is not all about funding but funding is a very important component of it because nothing can be done without money and resources. As with any implementation plan, we need targets and goals and the money to be used in the best possible way to achieve that. We received a couple of shockers today, particularly in regard to what Ms Owen said about the movement of horses on to the island without any control. It seems unbelievable that this could happen with such a large animal. It is not like moving mice. We have a bit of work to do. We must finish this series of hearings in the autumn and make a recommendation to the Minister, the Department and other Ministers regarding how best to address the issue so that the reputation of the sport horse and the thoroughbred industry is protected. We were shown pictures today of poorly and emaciated former racehorses. When a horse is in good form, be it at the RDS, the Curragh or Leopardstown, one can tell if it is a good racehorse, showjumper or eventer, but when it is emaciated one cannot distinguish what it was, regardless of whether it was a top class breed or could hardly perform. Once it is cruelly treated, that is the end of it. It is an animal that has been mistreated and we cannot tolerate that. Many of the committee members are farmers, so we understand what it is. Our viability

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depends on minding animals, apart from the fact that it is bred into us, if I can use that phrase, to do so. There is a keen interest among the members and the witnesses will have gathered that from the questions that were asked.

Again, I thank everybody. This is probably the last meeting before the Dáil rises for the summer recess. I thank the committee secretariat, the members of the committee and the broadcasting personnel for their assistance during this term. I hope to see everybody back next September. I will adjourn the meeting *sine die* because I am not sure of the date of the next meeting and one does not know what emergency might arise that we will have to deal with.

The joint committee adjourned at 6.52 p.m. until 2 p.m. on Tuesday, 21 July 2015.