

DÁIL ÉIREANN

AN COMHCHOISTE UM THALMHAÍOCHT, BIA AGUS MUIR

JOINT COMMITTEE ON AGRICULTURE, FOOD AND THE MARINE

Dé Máirt, 9 Iúil 2019

Tuesday, 9 July 2019

The Joint Committee met at 3.30 p.m.

Comhaltaí a bhí i láthair/Members present:

Jackie Cahill,	Rose Conway-Walsh,
Marcella Corcoran Kennedy,	Paul Daly,
Martin Kenny,	Tim Lombard,
Charlie McConalogue,	Michelle Mulherin.
Maureen O'Sullivan, +	
Willie Penrose,	
Thomas Pringle.	

+ In éagmais le haghaidh cuid den choiste / In the absence for part of the meeting of Deputy Thomas Pringle.

I láthair/In attendance: Deputies Michael Fitzmaurice, Danny Healy-Rae, Alan Kelly and Kevin O'Keeffe.

Teachta/Deputy Pat Deering sa Chathaoir/in the Chair.

Business of Joint Committee

Chairman: As we have a quorum, we will commence the meeting. We are now in public session. Before we begin, I remind members to make sure their mobile phones are turned off. I propose that we go into private session to deal with some housekeeping matters. Is that agreed? Agreed.

The joint committee went into private session at 3.55 p.m. and resumed in public session at 4.20 p.m.

Scrutiny of EU Legislative Proposals

Chairman: We are now in public session. We will deal with scrutiny of EU legislative proposals - Schedule B. It is proposed that the following proposals - COM (2019) 243 and COM (2019) 246 - do not warrant further scrutiny. Is that agreed? Agreed. It is proposed to suspend the meeting briefly to allow officials to take their seats.

Sitting suspended at 4.22 p.m. and resumed at 4.23 p.m.

Forestry Sector and Climate Action Plan: Discussion

Chairman: We will resume the meeting in public session. Before we begin, I remind members, witnesses and those in the Public Gallery to ensure their mobile phones are switched off completely. I welcome the Minister of State at the Department of Agriculture, Food and the Marine, Deputy Andrew Doyle, and his officials. The purpose of the meeting is to discuss with the Minister of State the challenges in the forestry sector in the context of the climate action plan. The joint committee also requested that the Minister of State comment on the impact of ash dieback on woodlands.

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 House or an official either by name or in such a way as to make him or her identifiable. I invite the Minister of State to make his opening statement. I ask him to be as concise as possible.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle): I thank the Chairman and the members of the committee for inviting me to discuss the opportunities and challenges in the forestry sector in the context of the climate action plan. I welcome the climate action plan and acknowledge the work that has gone into its preparation. In particular, I acknowledge the work done by the all-party committee chaired by Deputy Hildegard Naughton and the comprehensive set of recommendations that emerged from that in-depth consideration. The climate action plan underlines how essential it is that we all act now to meet the challenge of climate change and underlines that it is in all of our interests and those of future generations to work together to safeguard our future. The plan has a strong focus on implementation, including actions with timelines and steps needed to achieve each action, assigning clear lines of responsibility for delivery.

Agriculture currently accounts for 33.3% of Ireland's total greenhouse gas emissions so the

long-term challenge for the agriculture sector is to meet the national policy objective of adopting an approach to carbon neutrality that does not compromise the capacity for sustainable food production. To meet our emissions reduction target, we will need extensive behavioural change by each and every individual farmer. It will be require getting better, not just bigger, and focusing on productivity enhancements rather than just numbers.

My focus today is forestry and the challenges and opportunities relating to climate change mitigation and adaptation. Before I go further, it should be noted that we have been following a three-pillar approach to climate change, namely, to reduce emissions where we can, to increase carbon sequestration and to displace fossil fuel and energy intensive materials with renewable sources. These principles are also reflected in the plan, with the second and third of them presenting both opportunities and challenges in the forestry sector. There are 34 actions in the plan relating to agriculture, forestry and land use, namely, actions 101 to 134, inclusive, a number of which focus on the role of forestry.

Forests and wood provide a triple climate benefit through active sequestration of carbon dioxide from the atmosphere, the long-term storage of carbon and by substituting non-renewable materials with larger carbon footprints. The role of forests as potential sinks and sources of greenhouse gases is well recognised in the United Nations Framework Convention on Climate Change, UNFCCC, the Kyoto Protocol and the Paris Agreement but the development of accounting rules has been challenging at both European and international level. The figures and targets in the plan are, therefore, the outcome of in-depth analysis and negotiation.

In summary, the EU agreed regulations in 2018 covering emissions reduction targets for the accounting period 2021-2030 for the non-ETS sectors and land use, land use change and forestry - usually shortened to LULUCF - accounting rules, which cover managed forestland, crop land, grassland and wetland. These two regulations are linked as EU member states can employ a capped amount of net accountable removals from LULUCF to meet their emissions reduction goal for the non-ETS sectors. For Ireland, this cap is set at 26.8 million tonnes of CO₂ for the ten-year period. The LULUCF regulation presents opportunities to expand the important role of forests and wood in climate action while providing recognition in terms of increased removals and emissions reduction, but also presents challenges to ensure that forest management practices continue to be conducted in a sustainable manner, including the use of bioenergy.

Given Ireland's recent and outgoing afforestation policy and regulatory environment, managed forests as a whole should be a substantial contributor to Irish emission reduction targets for 2030 and provide the majority of the possible contribution from LULUCF. Ensuring this contribution is achieved will involve continued afforestation, avoided deforestation and the ongoing dedication of industry to sustainable forest management practices, hence the range of actions in the climate action plan relating to forestry.

The Government has actively supported the development of Irish forestry through the national forestry programmes over the years. The most recent national forestry inventory, the results of which I launched this time last year, found that forests account for 11% of the total land area of Ireland, with forest cover estimated to be at its highest level in more than 350 years. We are currently benefiting from our investment in forestry from previous programmes, with the establishment of a vibrant, export-led timber processing industry, including providing significant contribution towards meeting our targets in climate change.

We need, however, to maximise the climate mitigation benefits of forestry. To this end, we will, as outlined in the plan, increase afforestation rates from their current levels to an average

of 8,000 ha per annum, supplement the attractive financial incentives already in place under the forestry programme with knowledge transfer programmes to raise awareness of the benefits of forestry and ecosystem services, tackle the attitudinal and behavioural barriers to changing land management and use through promotional and communication campaigns, ensure ongoing action to manage the risk to current carbon stocks from natural disturbances such as fires and deforestation, and support and encourage the construction of forest roads to allow for the efficient and timely harvesting of timber for delivery to the market.

There has been considerable focus on increasing the rate of new planting to an average of 8,000 ha each year. This matter was recently raised with me in the Seanad. As I mentioned in my response, my Department currently approves around 9,000 ha every year for afforestation but the conversion rate to planting consistently remains at approximately 60%. This means that the Irish forestry sector and landowners have at their disposal planting approvals for up to 10,000 ha. The challenge that arises relates to the translation of those approvals into plants in the ground if the targets are to be met. An average of 8,000 ha per annum of newly planted forests does represent a significant challenge. We propose to meet this challenge through the continued availability of grants and premiums for landowners to plant new forests, promotion of farm forestry, a focused promotion and communication campaign and continued dialogue with stakeholders, including Coillte and other State bodies. Ways in which farm forestry can be better aligned and integrated with the CAP will also be explored.

One of the actions in the plan is “to implement the Forestry Programme 2014-2020 in line with Mid-Term Review recommendations and targets set”. The implementation of the forestry programme, which offers a wide range of options and grants and annual premiums for landowners, continues to be a priority. As matters stand, the current programme is averaging afforestation rates of 5,500 ha per annum, or 75% of its overall target. This will clearly need to be improved to meet the goals of the climate action plan. My Department and I have ongoing engagement with stakeholders to ensure that issues and challenges are addressed as they arise and that we avail of opportunities to promote afforestation. I chair a forestry implementation group and a forestry promotion group which are working together as regards implementation and ways to promote afforestation, respectively.

We should also be cognisant of the challenges and risks to forest posed by climate change. It is important that adaptation options are considered in order to improve resilience. Climate change will have impacts resulting from increased levels of atmospheric CO₂, changes in air and soil temperatures, changes in rainfall patterns and extreme events such as those involving wind. To assist in this context, the Minister for Agriculture, Food and the Marine, Deputy Creed, and I launched a public consultation process last week on a draft climate change adaptation plan in the agriculture, forestry and seafood sectors. In addition to focusing on mitigation or reducing the emissions that cause climate change, we also need to take steps in climate adaptation planning. Submissions on the draft plan are welcome from interested parties as we need to work together to ensure that our forests and forest management take adaptation into account.

Linked to resilience is species diversity. We have seen the impact of ash dieback on our ash woodlands. The committee will be discussing this issue later. I am well aware of the impact of ash dieback on Ireland’s ash plantations. When this disease first presented, we put in place an Exchequer-funded reconstitution scheme to restore affected-forests. Since then, over 1,600 ha have been restored at a cost of €4.4 million. However, when the scientific outlook changed and it became evident that the disease could not be eradicated, the scheme was suspended in April 2018 in order that a comprehensive review could be undertaken. Landowners who wished to

continue growing their ash forests could continue to be paid their annual premiums and the woodland improvement thinning and tending scheme remains available to ash plantation owners. The review has taken the form of extensive consultation and evaluation and initial indications are that it has identified a broader and more responsive range of options to assist owners in managing affected forests. I hope to be in a position to announce the full results of the review shortly.

The Government has shown its ongoing commitment to this and other issues relating to the development of Irish forestry through its annual budgetary allocation and its approval of both the forestry programme and the enhancements to the measures in the programme following the mid-term review. This ongoing support was clear recognition of the contribution which forestry continues to make to the economy, environment and society in Ireland. Forestry combines the best climate mitigation land use that we have as well as a viable and sustainable land use income for farmers. The climate action plan gives us in the forestry sector an opportunity at a national level to highlight the importance of forestry and endorses the investment that both the State and individual landowners have made to date in its development. It presents challenges but I am satisfied that we are up to meeting them. My priority, and that of my Department, will be the implementation of the range of actions relating to forestry. The sector also has its part to play in engaging with local communities to ensure that the multifunctional benefits of forestry are there for all. I look forward to the members' contributions.

Senator Paul Daly: I welcome the Minister of State and his officials. I thank the Minister of State for his comprehensive report. I would like a more detailed breakdown of the numbers. The Minister of State indicated that the target is 8,000 ha and that we are achieving 5,500 ha. When harvest is incorporated what is the net gain in new forestry? How many hectares of existing forest are being harvested every year and are they being replanted?

Deputy Martin Kenny: I thank the Minister of State for his presentation. I live in Leitrim where people feel that there has been over-afforestation which has been detrimental to rural communities and there is a serious problem of rural decline and depopulation and the continuous creep of forestry over the landscape is doing nothing to help those communities. The solution we hear is that there is lots of work in it. We do not see the jobs in Leitrim. There are a few jobs in Masonite, where people are processing the pulp wood and some driving trucks are drawing away the timber. Apart from those, however, there are no sustainable jobs to keep people in the community.

Carbon sequestration was the main matter to which the Minister of State referred. Thousands of acres of forestry were planted on what was shallow bog on the mountain sides from Drumshanbo to Ballinamore and through the mountain ranges in Leitrim. Every scientist tells us that if that bog had been left alone, it would sequester three times the amount of carbon that it does under forestry. Will that be replanted or will the original habitat, which was better for carbon sequestration be restored. In regard to the issue of the carbon credits, we hear of farmers whose methods produce a lot of carbon. To counteract this, they buy land in the west and other areas and use it to build up carbon credits. Who owns those carbon credits? Is it the person who owns the forest or the State? What value do they have?

Planning is a big issue in many rural areas, particularly in regard to tourism, in areas of great scenic beauty because when forestry creeps in people cannot see the lakes or mountains. They can see only Sitka spruce, black trees growing up in front of them. That is a big problem. Planning permission for forestry is granted only if it is for over 50 ha, which is at least twice the size of most of the land that has been sold for forestry. In the rural north west, landholdings

are generally small, at an average of between 20 and 25 ha. Can something be done about the planning permission so that people in the community could feel that they have an input into it?

People also have a gripe about the tax free element of this. There are very few things that we do in this world that are totally tax free and forestry is one of them. That, coupled with the fact that grants available for non-farmers are the same as those for a farmer, make many people in rural communities very sore. They see people from outside the area come in and buy up land, inflating the price of it so that the local farmers cannot compete to buy that land. They get the same level of grant as a local farmer would get to plant it and any money they make on it is tax free. Some of these individuals are very wealthy business people or people who have a lot of money. They use forestry as an investment from which they can make a massive profit and tax-free income. People feel that is unfair and unjust to the local community. I come across such people all the time. These are small farmers who see a farm coming up for sale beside them and want to buy it. They cannot afford to do so. If they decided to buy the farm, the only way to make money from it would be to plant forestry. Many of these people do not want to plant the land. They want to farm but that opportunity is denied them because the particular system or structure in place prevents farmers from being able to survive in that respect. An article on the *AgriLand* website today sums up the position. Many people expect that forestry will replace the suckler farming. Many of us believe it will replace the communities we live in, never mind the cows. The issue of the farmer versus the non-farmer is key. It flies in the face of all we hear about the protection of rural communities that the people whose families have been the custodians of rural Ireland for generations find themselves being undermined and bought out. Anyone with more money can come in and buy them out, secure the same grants as they can and make profits that are tax free. Those are issues that the Minister of State needs to address. In County Leitrim, the statistics indicate approximately 17% or 18% of the land is planted, but forestry probably covers more than 50% of available land. This is having a detrimental effect on rural communities in the area.

Deputy Willie Penrose: I thank the Minister of State. There is no doubt that forestry has a central role to play in carbon mitigation by virtue of its sequestration properties. It is, therefore, critical to any climate action plan. I note the three pillar approach based on reducing emissions, increasing carbon sequestration and displacing fossil fuels by renewable resources. We are talking about 11% of the total land area and the Minister of State is aiming to have 8,000 ha planted every year. In the late 1990s and early 2000s, we were talking about 10,000 ha per annum. We have, therefore, regressed. We cannot come within an ass's roar of 8,000 ha of new forestry each year. The current figure is approximately 5,700 ha per annum. It is no wonder there are many issues.

The Minister of State indicated that the translation of approvals into actual planting is the critical aspect, and I agree. It is critical, as Deputy Martin Kenny stated, that forestry is located in the correct areas. It is a little like the wind turbine craic where the boys arrived in town with their chequebooks and overnight they were placing turbines all over the place, with no care for the community. The land scheme should be aimed at farmers. One sees what happens when it all goes wrong. It should be farmer orientated.

The Forest Service is not well. The ash dieback issue has not been handled well and there is much distrust and anger out there. A presentation will be made to the committee later, which I will quickly read through. It is not good if people are not happy, as the Minister of State would acknowledge is the case. He has some forestry on his land. How are we to achieve objectives and targets if people are unhappy? The rate of forestry has declined significantly in recent

years. It was higher when I was first elected to the Dáil.

The thinning grant is of no use to farmers because it does not compensate the owner for the financial loss he or she is experiencing. Thinning grants are just a management tool. They are great if one is young, fit and able bodied but they do not cover the cost of having the timber cut and brought to the roadside. Most contractors require the full grant and felled timber as payment.

On ash dieback, allowing ash growers to enter a new scheme or remove their ash plantations and return their land to grass could be feasible if there were no loss to the grower. The disease was imported into Ireland at a time when little attention was paid to the fact that it was rampant in Europe. Where were the protocols? Where was the biosecurity screening?

There are many issues with the replanting of areas of ash plantations with conifer plantations. The minute one starts to do this, one becomes bogged down in bureaucracy, red tape, excess costs and the usual crossing of t's and dotting of i's. I was talking to a top-class hurley manufacturer, Mr. Peter Curran, in Cloghan, which is in my constituency. Mr. Curran was a good hurler and, like many others, he is now making hurleys. Sourcing ash butts for hurleys is difficult. The hurley manufacturers are bearing the brunt of the ash dieback problem, even though they are not at fault. They did not allow the disease into the country. The Minister of State has a wide brief and will have good knowledge of this area. In the course of the CAP negotiations, will landowners be allocated a budget in acknowledgement of their contribution to biodiversity and wildlife habitats, an issue the Minister of State addressed? These farmers are dealing with the most organic land in the country. There is no recognition given to careful stewardship. The Minister of State and others who sow know that.

We often look across the water to see how things are going. Is Scotland reaching its targets or is there a model there that we could learn from? It is important to examine what works well elsewhere to see if has potential applicability here.

I have to ask the Minister of State something I was asked a few weeks ago. Are tree sapling plants of different species being imported and approved for new forestry plantations? I am not an expert in this area. If they are being imported, are we putting in place appropriate protocols and security measures to make sure we do not experience further problems? What percentage of root stock is imported each year for the forestry sector? If the Minister of State is trying to achieve the targets he set out, does that mean root stock imports would increase? It may well be the case that we could provide that here. It was brought to my attention that there is an invasive bark beetle knocking around in the United Kingdom which could affect conifer plantations, especially through importation for processing. The Minister of State will know more about this sector than anybody. It involves the guts of 12,000 jobs and €2.3 billion to the economy. We were talking about the EU-Mercosur trade agreement in terms of the agricultural sector but imagine if the forestry sector was hit again. Perhaps that might be worth examining.

I read the points made in the Minister of State's submission regarding the reconstitution scheme. I have also read the presentation the Limerick and Tipperary Woodland Owners have submitted. I also have no expertise in this area. Approximately 16,000 ha of land were restored and approximately €4.5 million spent before the scheme was suspended. A review of the scheme has been 12 months in gestation. My grandmother - may the Lord have mercy on her - used to say that long churning makes bad butter. This butter must be getting rancid. I hate these reviews. The Minister of State will recall from his time as Chairman of this committee that I can be cantankerous when discussing reviews because they take too long. What is the De-

partment reviewing? What is going on? Did the reconstitution scheme work? That is the basic question. Where did the money that was given to the Department go? Did the €4.4 million all go to the register of foresters or to sales? Were sales required to cover the cost of reconstituting the ash plantation? Have any farmers who should have been compensated not received compensation? Is there an underspend in the forestry industry each year? If there is, surely we should redirect some of that money to farmers who have sustained significant losses as a result of ash dieback. The disease seems to be particularly prominent in two or three counties.

Who was involved in the creation of the reconstitution scheme, which may have preceded the Minister? Was there a high-level stakeholder committee, or were any Members involved in it? I always like to find out whether many stakeholders from the industry in question are involved in such committees. The Minister of State has referred to the industry but when that industry is hit, it hits the small people. It does not affect the big boys at the top who are dictating to others. Who was on that committee? Were they foresters, consultants, sawmill or nursery owners, contractors or representatives of Coillte? Were individuals who had been hit on it? How many people on the committee were typical, average forest owners? The Minister of State is probably wondering why I have a particular interest in this area. My uncle, Lord have mercy on him, was a forester for about 40 years, so I am interested in it. The Minister of State makes his own decisions and will not take any advice from us, but the best advice I can give him is that if he intends to conduct any more reviews, he should put together a forestry stakeholder committee made up of ordinary, typical private forest owners in order to get their views on the schemes he is putting forward. Those 9,000 or 10,000 ha should be planted in order to achieve carbon sequestration. A number of farmers might consider doing that if there was an increased premium involved. Those ordinary forest owners might be able to tell us how to get there.

I refer again to hurling. A few years ago, a plan was set out with the intention of achieving self-sufficiency in hurley butts by the end of 2019 and a 70% reduction in hurley butt imports. Are we going to meet this target? The production and manufacture of hurleys has created 600 jobs in rural areas. People are involved in this industry right across the country, from Canning Hurleys in Galway to Curran Hurling in Westmeath. That is important. The Minister of State has done some work in this area, for which I salute him. In 2018, hurling was declared a form of intangible cultural heritage by UNESCO. How will the Minister of State rectify the loss of our native ash trees and commercial ash plantations to ensure we comply with the awarding of cultural heritage status to our national heritage and national sport?

We need to support forest owner groups, including with transition. I have always supported Coillte but it is not doing enough to meet its forestry targets, and I said as much to its new chairperson, Ms Bernie Gray from County Longford, when she was before this committee. Coillte has failed to meet its targets and all sorts of excuses are being put forward for that. If the company is failing to meet its targets, we should import the bare minimum and ensure small farmers and small forest owners are supported because their contribution to biodiversity is absolutely critical at this point in time and will serve us well in the future. I ask the Minister of State to address some of those issues.

Chairman: I thank the Deputy. I ask the Minister of State to take those three questions first.

Deputy Andrew Doyle: Are there only three questions?

Chairman: There are three in that lot.

Deputy Andrew Doyle: I will address Senator Paul Daly's question first. When an applica-

tion comes in for a tree-felling licence part and parcel of that licence is a replanting obligation, so in the vast majority of cases a plantation is replanted after it is clear-felled.

Some questions were raised about monoculture in County Leitrim and other areas. Those plantations are coming to a mature stage at this point and are in that rotation between 35 and 40 years on average. When they are replanted, while they will be part of the same planting area, only 70% of the area will be covered with conifers, for example, some 15% will be biodiverse and a further 15% will contain diverse species such as broadleaves. The plantations will also be subject to certain rules on setbacks from roads, houses, rivers and streams that were not part of the planting rules that pertained when they were planted all those years ago. The area of cover will be considered the same in the accounting, even though the footprint will be smaller. However, those rules are in place for good reasons. There is no net loss, so any planting is generally counted as afforestation, which is a net increase in the overall area covered.

Deputy Martin Kenny knows that, arising from the claims and concerns expressed about County Leitrim, the Department commissioned a socio-economic study from Dr. Áine Ní Dhubháin of UCD, which is ongoing. She has been given broad scope to take in all consultation and meet all stakeholders in Leitrim and we await her report which will likely be ready by the end of the summer.

Approximately 570 people are employed in the forestry sector in County Leitrim. Masonite is a big employer and many others are employed in transport and sawmills. Not all of those people live in Leitrim but forestry accounts for a larger percentage of the workforce in County Leitrim than in any other county and makes a significant economic contribution. According to my statistics, between €2.7 million and €3 million is paid in premiums to farmers and non-farmers from both inside and outside the county every year. Non-farmers might include family members, retired farmers or people who inherited land. The average plantation is 6 ha, so the issue of corporate investment has more to do with when plantations come out of premium. One concern we have always had is that while farmers might appreciate and have a very good understanding of the value of their livestock or crops, forest owners or farmers who planted years ago were not as tuned in to the value of their plantations. We have many initiatives, including knowledge transfer groups, the COFORD Wood Mobilisation Group and Talking Timber, which aim to make people aware of their plantation's potential and encourage them to hang on to it rather than sell it. Many of the sales that have been referenced are post-premium plantations, which are more than 20 years old in most cases.

Our carbon credits are part of a national inventory. In the UK model, people are allowed to trade their credits, but they do not have generous premium rates, whereas we have a tax-free premium for income forgone. The difference between farmers and non-farmers in that context is that a farmer who submits an area aid application is entitled to include that land as part of the application for the purpose of eligibility.

Deputy Penrose asked about the Common Agricultural Policy. If we are to achieve our farmer participation targets, I see a need for future harmonisation and acknowledgement of the role of forestry in CAP. Pillar 2 of CAP, for instance, should include acknowledgement of the good forestry is doing in carbon storage, carbon sequestration and biodiversity. Trees will account for 70% of the area of a core plantation, while a further 15% will be an area of biodiversity. There is nothing to stop a value added payment for whatever measure someone decides to incorporate. I envisage a role for a scheme similar to the forestry environment protection scheme which was in place some years ago. That would need to be harmonised with the Common Agricultural Policy on which negotiation is ongoing.

On peat soil, after five to ten years there will be a net sink of carbon. As the forest grows, the carbon stock will be higher than if it remained in peat soils. It has been proposed to rewet some soils, which is a different matter. In general, however, plantations on these soils can be net sequesters and the timber harvested over a number of rotations locks in carbon for up to 80 years. Until the timber in this building is used for firewood, it will continue to lock in the carbon that has been stored in it while the tree grew. The trees that replaced that timber continues to store carbon. We must consider the many benefits of forestry.

As I stated, I appreciate the necessity to change behaviour and attitudes to forestry. It is accepted that not all practices encouraged a favourable relationship with forestry. I come from County Wicklow which, until last year, had long had the highest percentage of land cover in forestry and it is now only marginally behind County Leitrim in that regard. Forestry cover in County Wicklow stands at almost 18%. We have had a culture and tradition of forestry and it has not been an issue in the same way as it has been in other places, although I accept that the landscape in Wicklow is different. We have a rolling landscape with forestry on high hills, which means people may not find it as intrusive as they do elsewhere. There is work to do in this regard.

Last week, when I visited the Teagasc facility at Moorepark I put it to senior Teagasc staff that they should consider planting broadleaf forest, especially along the River Liffey, to demonstrate what can be done on fertile landscape in that part of the world. This is a demonstration farm for dairy farmers and they should be shown how to do this too. There is a role for everyone. There are land use regulations and environmental concerns which some might say are excessively restrictive or can slow down the application process. We receive that complaint regularly. Ironically, I have received emails from County Leitrim objecting to Coilte clear-felling a spruce plantation because it is a nesting ground for the sparrowhawk, red squirrel and badger. At other times, I am told that spruce plantations are blanket forestry which do not allow for any habitats or wildlife. We need to get some balance into this discussion but I accept it must come from both sides.

Deputy Martin Kenny: Does the Minister of State accept there is an imbalance in County Leitrim?

Deputy Andrew Doyle: I accept that just as I accept that cigarette companies advertising on Formula 1 cars for years was wrong. We did not know what the impact would be. I see plantations that extend as far as the road at the Wicklow Gap being clear-felled. When they are replanted they will be set back from the road so that views will not be obstructed. That was practice at the time and it was not confined to County Leitrim. The rules that pertain now are totally different. If a plantation that was planted 35 or 40 years ago is clear-felled today, the new plantation will be set back from the road, there will be a buffer of broadleaf trees and 15% of the area will be reserved for biodiversity. There are many protocols and rules in place now which were not in place previously. That will manifest over time.

Whether in the area of forestry or suckler and beef herds, there are 12 grant and premium categories and other incentives. One which we have not been able to promote or has not caught on as much as it could is agroforestry, which allows people to grow trees and continue to farm, albeit not with bovines until after some years. Unfortunately, ash was the favoured tree for that. It was meant to provide stock for hurleys but that came to an end abruptly. We are seeking to have sycamore, birch and cherry as options for those plantations, or even spruce, whether it is 6 m, 8 m or 10 m divisions. Farmers can get a forestry payment on that land for five years, rather than 15 years. It has potential and can help in land drainage too. This is something people can

promote. It is not always a case of either-or. People who want to plant some of their land can do an appraisal of their whole property to see if they can enhance their income and use the money to improve the rest of the farm.

Deputy Martin Kenny: For clarity, who owns the carbon credit? Does the State own it?

Deputy Andrew Doyle: It is State owned. There is no trade for it. It is factored in.

Deputy Martin Kenny: Can the Minister of State stand over that legally?

Deputy Andrew Doyle: I am not a lawyer.

Deputy Martin Kenny: I know.

Deputy Andrew Doyle: In the UK and New Zealand, people trade carbon credits but they are not paid in the same way as our premium is paid. I am not sure that this is a relevant point at the moment.

Deputy Martin Kenny: It is relevant to the person who has the trees.

Deputy Andrew Doyle: The person will have received a grant of 100% to establish forestry and 15 years' premium, with tax-free income on that and a tax-free sale of the product thereafter. As I said, I firmly believe that forestry will have a role to play under the new proposals in the Common Agricultural Policy and its environmental asks. People will be rewarded, whether through payments for carbon or the environmental good they are doing. However, having ownership and participating in a trading system is a whole different ball game. If the Deputy is suggesting that the farmers should be trading in credits in a fluctuating market or a market that is not there at the moment-----

Deputy Martin Kenny: I am not suggesting anything. I am simply asking who owns the carbon credits. If my land is sequestering carbon, who owns the credits which accrue from that? I expect it is the farmer.

Deputy Andrew Doyle: The farmer is being paid to provide the land. In the case of mineral rights, the legislation provides that these rights belong to the State when one goes into the ground. I would have to get clarification on that but I would like to know the Deputy's specific question.

Deputy Martin Kenny: The question is who owns the carbon credits.

Deputy Andrew Doyle: Who owns the carbon?

Deputy Martin Kenny: Who owns the credit?

Chairman: Maybe the Minister of State will revert to us on that.

Deputy Martin Kenny: Yes.

Deputy Andrew Doyle: The credit is factored into our mitigation targets. We are looking at measures to try to encourage people. How are they to be rewarded for taking measures, whether eco-systems or otherwise? We do that through the green low-carbon agri-environment scheme, GLAS, for instance, under which people are rewarded for providing biodiversity. Who owns the biodiversity? Biodiversity is also a way of improving carbon sequestration.

Chairman: Perhaps the Minister of State will provide some clarification for the committee with a note on that.

Deputy Andrew Doyle: With regard to Deputy Penrose's question, I have dealt with the issue of the Common Agricultural Policy, CAP negotiations.

Scotland was way behind for years and they turned it around and it is worth studying to see how they did it. The dynamic of land ownership in Scotland, however, tends towards larger holdings. If smaller numbers of people need to be convinced to plant then one can achieve a higher hectareage. The Scottish target is 11,000 ha or 12,000 ha and they are near enough to hitting that, but only in the last two years. They had been way behind and we are looking at that situation.

With regard to ash dieback I accept that restoration has taken longer than it should have. When we were trying to address the ash dieback the best practice was to try to eradicate it and then the reconstitution scheme came in. There are those who were affected who say that there was no real reward for them. While they continued to get paid the premium that could be eight, ten, 15 or 20 years of growth and it meant starting from scratch. On the question of not being allowed to replant, notwithstanding what I said to Senator Daly, there are exceptional circumstances. It certainly needs to be looked at. I accept that we should consider it to see what are the implications. Thinning and tending is one option in the reconstitution scheme and partial removal is another, which is a form of continuous cover where one removes affected trees while leaving the trees that appear to be resistant. There was a feeling that by doing a complete clear out of sites perhaps we were doing away with strains that were resistant, which undermined the efforts to rebuild or recreate a resistant strain of the species to the *chalara fraxinea* disease, ash dieback. As I said earlier, I intend to publish the findings as soon as possible. From memory, when we brought in the stakeholders to discuss this we included the GAA, the IFA, some of the forestry companies and some of the industry people. It was mainly the stakeholders who were involved with trees in the ground.

Deputy Willie Penrose: That is the hole in the bucket and this is why I asked the question.

Deputy Andrew Doyle: That is why we brought them in.

Deputy Willie Penrose: Yes, but what about the people who are actually directly affected themselves?

Deputy Andrew Doyle: We brought in people from the representatives, but there are 1,600 ha not 16,000 ha that were-----

Deputy Willie Penrose: I said that, yes.

Deputy Andrew Doyle: The Deputy said 16,000 ha. Some 16,000 ha would have been great value at €4.4 million.

Chairman: Who would benefit from that €4.4 million?

Deputy Andrew Doyle: This was the problem. The feedback was that it was not going to the landowners. This is one of the reasons we were asked. It was suggested to us that we would look at the scheme to see how we could make it more targeted to the people who were affected. The problem is that the value of the timber that had to be removed was not what it should be because it depended on the age of the timber and the best of it was mainly firewood.

Chairman: What percentage of the 1,600 ha has had no compensation yet, or has everybody received compensation?

Deputy Andrew Doyle: The 1,600 ha has all been compensated. It is the remainder that is outstanding. There are some 15,000 ha remaining. When we see a very small area affected or a small number of trees affected we may not actually go in anymore because of the change of outlook from it being an eradication to a containment programme. It was designed around being an eradication programme but it is accepted that this cannot be achieved. A scheme that is user friendly does not necessarily have to be complete eradication. On the saplings that come in now I am aware that the main nursery in Ireland has enough plants for an 8,000 ha programme next year. There will be some species of trees that will be imported but there is due diligence at points of import. I launched the “Don’t Risk It” campaign that covers horticulture and trees and one can see those signs at airports. This is one of the campaigns we actually run. The phytosanitary division monitors all imports and is mindful of the bark beetle that affects the bark of the logs as opposed to plants and is imported.

Deputy Willie Penrose: That is imported.

Deputy Andrew Doyle: Yes. We only import logs from a particular area in Scotland. I am aware that they land at Wicklow Port, which is wall to wall with it at the moment. They have the same bio-security clearance that we have here and I believe it the only area from where logs arrive to Ireland.

Deputy Willie Penrose: I have one important question on behalf of the ash owners. The Minister of State has basically admitted something that is true and, in fairness to the Minister of State, it is to his credit. The ash owners are the people who lost out and they remain so. Everybody else got a few bob out of the €4.4 million except them. When the Minister of State is looking at the scheme perhaps compensation is the right thing for them. Will the Minister of State give them a chance and maybe more options than were available previously? Perhaps he will look at the 15 year premium and kick it back - if they get a chance - to year one again. It has gone to three, five or seven years. Let us kick it back and give them a chance to get off the ground again. They have lost their shirts, to put it mildly. It is a horrendous feeling. We can talk about Mercosur and so on but when one thinks about it after hawthorn, ash is the second most important plant in hedgerows. There are some 500,000 km of hedgerow in Ireland. The loss of ash would be a huge loss of carbon sequestration and it would also affect methane filtration. The Minister of State is doing a lot of work in Kyoto, Paris and all those place names but this is a big area here. It is not just for the hurley manufacturers or the ash owners, it is also for the overall communal carbon target of Ireland. I believe we would be losing out. The Minister of State will have to look again at a proper scheme to allow those people to get back on the pitch.

Deputy Andrew Doyle: People are continuing to be paid their premium for the moment.

Chairman: We shall move on as there are four members who wish to contribute.

Deputy Marcella Corcoran Kennedy: The Forestry Programme 2014-20 is due to end next year. Has the Minister of State a new works programme or will the Department be waiting on CAP to be announced before he does that? If the Minister of State is waiting for that will he be looking at the plantation of forestry in a broader context rather than focusing on the obvious places such as farms since they have the largest amount of land with potential for plantation? Will the Minister of State indicate if he will be broadening the programmes out to groups such

as Crann or the Woodland League, or to citizens? If every household in the State planted a tree, if every school planted ten trees and if every GAA field planted 20 trees along its perimeter, we could have a forest very quickly. Will this kind of thinking form part of the forestry programme? In my area Bord na Móna is looking for biomass. Will the Minister of State also look to encourage this in certain areas where there is a requirement for biomass? With regard to the type of monocultural plantations, on which Deputy Martin Kenny so eloquently articulates on a regular basis, if moving away from monoculture is the thing to do should we go for polyculture altogether? Might that have in some way prevented ash dieback? Did having the same species planted on many acres have anything to do with it? I know it is something that happened throughout Europe but did the fact it was a monocultural plantation cause the problem in the first place? Has there been a shift in thinking away from monoculture to polyculture?

People who were badly affected by the ash dieback certainly feel aggrieved and there is no doubt about it. They feel they have not been listened to and that they were encouraged to plant those trees and that proper procedures were not in place to monitor the trees being imported. They wound up bearing the brunt of all of this. What can be done about breeding a resistant strain? Is it being considered, possibly by Teagasc? The people who planted them could have a role in this. Perhaps the seedlings could be taken. With regard to forest machinery, there are differing views on the type of forestry and machinery that can be used and whether a new TAMS is something that could be considered to assist in grant aiding something they might be able to avail of. Would people be allowed to put it back into grassland? Has consideration been given to this?

Senator Michelle Mulherin: I welcome the Minister of State and his officials. Planting and afforestation are some of the measures we need to take for carbon sequestration as the Minister of State has set out and it is desirable. It is also desirable that we have species diversity in the forests and that the forests are in the right places. Based on the issue Deputy Martin Kenny and the Minister of State discussed with regard to counties that have a lot of forestry, the issue of people accepting forestry is a serious issue. Does the Minister of State consider the existing system, whereby somebody who wants to plant land applies to the Department for a licence, is robust enough? Does it take everything into account that should be taken into account?

The forestry standards book gives advice to people applying for licences on how they should proceed and we have the forestry and landscape guidelines that set out how forestry should proceed ideally. In fact, from my experience I do not know whether it is working in the best way it could and achieving the results it should. It seems to be apart from our planning system, which is operated by the local authorities.

The irony is if people planting a forest want to build a road the chances are they will have to go to the local authority but if they want to blanket an entire area with a forest they do not have to do so. I am not saying it has to be the same system but to what extent are the Minister of State and his officials looking at county development plans? For example, what happens when somebody seeks to plant in an area that has been identified as having scenic value? There are cases where a 60 m setback is not sufficient and it needs to be more. How often is discretion that the Minister of State's officials have to extend the setback exercised?

I am aware of a current case in point. There is a 60 m setback but the forest will be built on a hill. If it was put further back it would be in a hollow. It will be overbearing. It is an agricultural community but there is ribbon development with houses all around it that will be overshadowed by a forest. Even after many years when it is felled people will have to replant.

If someone were going to build a big shed that would have had the same impact on the landscape, such as breaking the horizon, views and distances, the local authority would ask that it be put in the hollow but this does not seem to happen with forestry. I know trees are natural and concrete is not but for us to make forestry more palatable we have to have a more nuanced approach and it definitely has to blend with county development plans. County development plans allow a democratic quotient to come into the equation, whereby any time development plans are passed by the local authority there has been a lot of consultation. There needs to be more dialogue with the public if the Minister of State is to achieve his aspiration of planting more trees in appropriate places.

I note that while there is a recommendation in the guidelines that forestry developers liaise with landowners of neighbouring properties this does not happen but there does not seem to be any penalty. Somebody living far away who owns land and who will not be affected by the forest does not have to consult with anybody and can very well get a licence. I would like to know in what circumstances and how often the Minister of State has increased the setback to more than 60 m. I definitely think 60 m in ribbon development villages is not sufficient.

Having two systems of land use control and development for forestry and buildings, with each not recognising the other and with no blending or harmonious approach as to how forests are developed, will lead to problems. It seems the entire process for getting a licence to plant a forest is done in somewhat splendid isolation to the greater objectives, whether tourism or land amenity, that a local authority may have written into the development plan. I do not see an interface between the two.

I have pointed to many concerns and perhaps the Minister of State can shed some light on the issues and comment on the idea that there needs to be a more integrated approach. I do not know whether it is in all local authorities but my local authority has a special agricultural policy committee that examines this type of issue with regard to agriculture but it is obviously not a planning and development committee. I can see the local authorities are becoming more in tune to these issues and there could be a more integrated approach that might lead to fewer objections because not every case is taken *ad hoc*.

Naturally not everybody will be happy with developments, and it is the same with regard to planning permission for a house or any other development, but I do not think people in communities are getting their fair say about where forestry goes and where it is desirable to go. There has to be a conversation. We have identified it in other areas of climate action. There has to be a conversation and engagement and people have to agree a general consensus on what the common good requires and then get down to the specifics on the ground with regard to the particular parts of counties. There are parts of my county that were planted with no objection whatsoever. The issue arises near housing. Let not beat about the bush - pardon the pun - or the forest. It has a serious impact on the look of a landscape, particularly where there is no forestry whatsoever. I know we are moving away from monoculture but in any event I do not think people feel that all of the factors in the round are examined sufficiently. The Minister of State might particularly answer the question about issues identified in development plans, such as why we would possibly want to have forestry on land identified as having scenic views or for tourism and why it cannot be precluded. What consideration he is giving to county development plans?

Deputy Jackie Cahill: I thank the Minister of State and his officials for their presentation. We are having a very wide ranging discussion on forestry. The first statement I want to make is that farmers' views of forestry as a viable option have worsened recently. There are several reasons for that. We need to examine them and see why we are not meeting our targets and why

farmers have changed their view of forestry. One reason for this is Coillte's practices regarding its contracts with farmers. That has left a very bad taste in people's mouths. Moreover, ash dieback has left people seriously economically inconvenienced, especially in my part of the country. I will say more on ash dieback in a minute.

Hedgerows have been mentioned several times this evening. Hedgerows are definitely not fully recognised in the carbon calculations. While it is tangential to forestry, this country is unique in the amount of hedgerow it has. There must be proper recognition of that.

The Minister said something earlier about the ownership of carbon credits. He referred to the fact that people who own forestry get certain tax concessions. Those concessions were granted to attract people to forestry. I am baffled by the argument that these tax concessions mean they do not have rights where carbon credits are concerned. I disagree with that 100%. Tax incentives are granted on farming, leasing etc. in other areas. No conditions are attached. If a man plants his grounds, the benefit should go to the owner of that ground. Tax incentives around the planting and sale of the product were offered to incentivise afforestation. Carbon credits must belong to the man who planted the land and owns the forest.

I refer to applications for permission to plant and the timeframe over which those permissions are granted. We intended to plant up to 10,000 or 12,000 ha. We are hitting less than 50% of those targets. I am told by people in the business that the delay in receiving an answer from the Department causes people to move on. They get frustrated with the whole system. I would like to get a timeframe. When a person applies for permission to plant land, over what timeframe does the answer come back? The same applies to clear felling. Foresters are frustrated. Over what timeframe is permission to clear fell granted?

The target is 8,000 ha. We are very much behind that. As things stand we do not have any earthly hope of getting within an ass's roar of 8,000 ha in the near future. We must have a root and branch review to explore why that is happening. We must re-examine the 20% rule that applies to unenclosed land whereby a farmer must plant 4 ha for every 1 ha of unenclosed land planted. That rule is totally inappropriate for certain parts of the country. I accept Deputy Kenny's point. Some unenclosed land is not suitable for forestry. It benefits the environment more if left unplanted. However some unenclosed land could be planted and the 20% rule is definitely a serious hindrance.

Another issue I wish to raise is hen harrier land. The restrictions applied to hen harrier land are the only case in which I have ever known the European Commission to completely devalue a person's asset without paying any kind of proper compensation. Hen harrier land has been devalued by 80%. One can compare the figures for what this land made before restrictions were put in place and what it makes now. Land makes roughly one fifth of what it made previously. There was an attempt at compensation for this land last year. An attempt is all it was. It went nowhere near restoring the capital value of the land. To be judged a success, any compensation scheme must restore the capital value of the land. I cannot understand how the Commission has gotten away with this so easily. I have raised this issue before and I will continue to raise it until those landowners get proper compensation.

Afforestation of hen harrier land would be a great help in restoring its capital value. Research shows that different levels of forestry growth would be beneficial for the hen harrier. While I accept that certain open spaces must be maintained, the scientific evidence supporting a blanket ban of plantation of hen harrier land is very vague at best. There is a very strong argument that staged growth of plantation in hen harrier areas would actually be good for the hen

harrier population. That needs to be investigated. As I said, those landowners feel extremely sore about the way the capital value of their land has been completely eroded.

I refer also to ash dieback. We will hear a presentation from Limerick and Tipperary growers in a few minutes. We have seen a map showing the affected parts of the country. Kilkenny and Tipperary are the areas with the most cases. The Department is abdicating its responsibility in regard to ash dieback. We imported plants from the Continent at a time when this disease's presence there was widely known. The farmers that planted this did so in good faith. The Department allowed those plants to be imported into the country without any form of biosecurity. The landowners are now suffering serious financial losses. There is an onus on the Department to make good that loss. It can be done in several ways. The Minister said earlier that the Department is continuing to pay the premium. That is well and good, but the crop will have very little or no economic value. As has been said, in spite of the costs of tending it the crop is firewood at best. Its value has been completely eroded.

At the very least, there must be help for the farmer to clear the site if he or she wants to do so. If the farmer wants to put it back into grass production, he or she should receive help; if the farmer wants to replant the land, he or she should most definitely get a grant. That is the very least that could be done. The farmer should receive the premium for several years after replanting. That is only fair. This disease was completely outside landowners' control. It should not have happened and if there was more biosecurity it would not have happened. These men have suffered serious loss. My own county and County Kilkenny are the worst affected, but the disease is in a number of areas. This has gone on for too long. Some men were told they would not get any compensation because the trees in the diseased plantation were above a certain height. I am glad that a review of the scheme is ongoing. That review must recognise that there has been serious financial loss. Those people must be given options to allow them to get economic value back into their land. That must be addressed. We will hear from some of the landowners later on. It is a burning issue for those farmers, who feel very let down by the recognition they have gotten so far.

Chairman: One more member wishes to comment. We will take all the questions together if that is all right.

Senator Tim Lombard: I will be very brief, as I realise the evening is moving on. My question to the Minister is about ethos, where the forestry programme is going and tying in all sections of the agriculture industry. In his presentation he mentioned the event at Moorepark last week, which some 10,000 people attended. It was a massive event, attended by dairy farmers from every part of the country. It featured no real discussion of the forestry programme and no effort to get farmers to buy in and become a part of this industry. That is the issue. I was at the event. Perhaps I missed it. We need to have a real conversation about dairy farmers giving a portion of their land over to the forestry programme. We need that buy-in but it is not there. Unfortunately, forestry is regarded as a dirty industry in many ways. I mean no disrespect but involvement in forestry suggests that a farmer perhaps failed or has bad land. There has to be a change of view. That change and the buy-in to which I refer need to happen for the benefit of the economy, the environment and farming.

The Minister got a bit of stick last year when he stated that perhaps 2% of a holding should be in forestry. How can we get that buy-in from the farming community? If what the Minister is seeking happened, how could we put a scheme in place to help the industry change and transfer? We are all part of the industry in many ways. We all go to discussion groups but the dairy discussion groups never talk about forestry or about setting half an acre aside for forestry. That

does not come into the view of the Teagasc adviser in that discussion group. How will we tie all those things together? I have not seen it yet. If we are to make the major inroads that the Minister of State says need to happen, there has to be buy-in. What is the Minister of State's policy to ensure that we can get the buy-in from the dairy and beef industries? What species does he think should be planted? What percentage of landholding should be tied into it? What role should a Teagasc adviser at a beef or dairy discussion group play in that regard. What part should that play in the context of the knowledge transfer scheme in order that we can change people's view? Some farmers, if they see a batch of spruce trees, might ask what is happening and state that the land involved has gone out of farming permanently. That needs to change. How can the Department work to ensure that can happen?

Deputy Charlie McConalogue: I thank the Minister of State and his officials for attending. The Minister of State said that while the overall objective is to have 8,000 ha per annum but we are reaching only 5,500 ha. He did not provide much detail about how he plans to address that and increase the amount involved. He referred to different communications and campaigns but in recent years the area planted has been less than the target. In particular, considering that 8,000 ha per annum forms a key part of our climate change and sequestration targets, unless there is some radical change it is difficult to see how those objectives will be met. I would appreciate it if he could supply a little more detail on the thought process in the Department in that regard.

Previous speakers have thrashed out the issues regarding Sitka spruce and the single-species plantations that are happening. What is the Department's thought on increasing the plantation of broadleaf trees, which are more biodiversity-friendly? What are the pros and cons from point of view of carbon capture? It is my understanding that it is much slower and takes longer. In addition, it does not pay off to the same extent. There is no doubt that Sitka spruce the single-species plantations lay waste to many of the areas planted the necessary biodiversity simply is not there. Biodiversity is present when there is a greater focus on broadleaf trees.

It is projected that, post 2030, there will be a significant drop in the contribution that our national forest cover can make in the context of reaching our targets. This is because we are approaching a cliff edge regarding the amount of forestry that is due to be harvested up to the early 2030s. What is the Minister of State's view on that and how will it affect the contribution of forestry in the context of our climate change objectives?

Deputy Thomas Pringle: While the Minister of State mentioned climate change mitigation factors, there was very little detail regarding what is involved. Senator Lombard hit the nail on the head when he talked about buy-in among dairy farmers regarding what needs to be done. That is important. Would the Minister of State expand on the measures he proposes or is considering in the context of increasing the amount of land under forestry? It is vital that it is not all commercial forestry, which is totally different. It provides some sequestration but the trees are going to be harvested and the carbon will be released through that process.

The Minister of State outlined five factors for increasing afforestation but two of them relate to harvesting more quickly and improving the methods used rather than improving afforestation and carbon sequestration, which is what is necessary under the climate action plan. Could he talk about this and how the upcoming CAP will contribute to that because I worry about whether it will?

Deputy Michael Fitzmaurice: I thank the Minister of State for his presentation. There are whitethorn and other types of trees on farms throughout the country. Not one of them is

allowed for sequestration. Why has Government not made some move on that? Years ago, large numbers of trees were planted on raised bogs. Those trees would not take root properly because of the prevailing winds. However, but there is still an obligation on people to replant the forestry on those raised bogs. This seems to fly in the face of what the Minister for Communications, Climate Action and the Environment is saying.

We see accredited companies come in to plant trees and build the mounds - the whole job - and then look after everything during a stabilisation period of three years. If there are problems afterwards, however, the companies have ridden off into the sunset. Are there any clauses the Department can use to make them more accountable?

I agree with Deputies Kenny and Cahill about the carbon credits. Grants and tax breaks were given in respect of forestry because the Government could not get people to grow trees. It is not stated anywhere in the document who owns the carbon credits and there is no clause to indicate that the Government has them. I would like a response in that regard.

We have dealt with a few cases in which a forestry zone that had not changed for ten or 12 years was reduced on foot of a satellite adjustment or reassessment, and clawbacks were made as a result. I am a contractor. If a fellow paid me 12 years ago to mow an 11-acre field, and it ended up that it was a 10.5-acre field, he would not be getting any money back. If our positions were reversed, I would not be getting any money back. I do not know how a clawback can be made up to 12 years later.

Has the Department considered the number of designations in a county? There is a lot of talk about County Leitrim, but this is not about one county. Could we look at the extent to which rivers and lakes throughout the country have been designated in order to discover what percentage of each county is in a designated area?

Deputy Cahill was right to point out that Coillte has not covered itself in glory. The way it has handled contracts has left a bad taste in the mouth for many farmers. Is the Minister of State disappointed about that? Has the Department done anything to give a bit of a boot to what it is doing?

When we were young - it is a while ago - there was a shelter belt of 50 or 80 trees in every field. On a bad day, we would see cattle in around the shelter belt. Some sort of innovative idea is needed to encourage the planting of 50 trees here and 100 trees there. I am not saying that a particular species of tree should be favoured. If one could claim for an acre every time one planted 1,000 trees, even if they were along the ditch or up on the ditch, one could gain ground. This was done years ago. We cut them in the 1980s and 1990s when the EU gave grants to knock every ditch in the place and take every tree out of it. Why is there no innovative thinking to ensure that tree planting is not confined to a corner of a farm or a single field?

I would like to caution the Minister of State in one respect. He mentioned rivers. That would take up a fairly large area. When trees are being planted along a river, there is a need to ensure space is provided in order that the river can be cleaned. Trees should be planted outside the space needed to allow a machine to go along by the river. I would caution those involved to remember that trees take up space.

There is a problem with trees that were planted without any grant being drawn on them. It is not the Department's fault. Some of these trees are nearly coming into people's houses from the adjoining lands. Nothing can be done, to be quite honest about it. Many people are finding

that their light is being blocked out. Setback distances are crucial. Many people who have forestry adjacent to their houses have a genuine fear that they will be in trouble if a fire ever breaks out. They are not being alarmist. There should be no doubt that there will be forestry around Ireland. People are not against it. I know the Minister of State is trying to do this differently by bringing in broadleaf trees, etc. If we do not address the problems that exist, people will not come on board. I ask the Minister of State to respond to the questions I have asked.

Chairman: A variety of questions have been asked. I ask the Minister of State to answer as many of them as possible. He might come back to the committee on those he is unable to answer.

Deputy Andrew Doyle: I will do my best. I ask members to bear with me. I have forgotten any questions, they should remind me of them so I can try to address them.

I will begin by responding to Deputy Corcoran Kennedy. It is a helpful coincidence that the CAP programme and the new afforestation programme will run in tandem. I have always said that the two programmes need to have regard to each other. The internal preparation for the next afforestation programme is under way within the Department. The Deputy asked whether organisations such as Crann will be involved. There is an opportunity in some of the community-led schemes. The NeighbourWood scheme is in place to facilitate public initiatives such as community-owned initiatives. I have seen NeighbourWood schemes at home and in County Mayo and other places. The Department supports the creation of woodlands under this scheme in public spaces, which allows such projects to have an educational dimension. For example, native trees and, in particular, broadleaf trees are identified and marked along routes such as Slí na Sláinte ways which encourage people to participate in healthy activities.

There have been seven different measures under the TAMS programme, which was mentioned by the Deputy. It has been exclusively for farmers up to now. This should be considered as part of the CAP review. The specialist removal equipment that could be considered as part of such an approach is not the standard equipment.

The Deputy referred to grassland replanting. There is a replanting obligation as part of the afforestation programme, which is meant to increase the net area. Restoring lands to grassland can be considered in the context of ash dieback or perhaps some other exceptional circumstance in which land is not suitable,. In general, however, the replanting obligation is in place because this is an afforestation programme.

I assure Senator Mulherin that the application system has regard to areas that have been designated as special areas of conservation or Natura sites, or where habitats are present. Such factors must be taken into consideration. County development plans are also considered. Site notices are required under the 2014 Act. The enabling legislation has been in place for two years now. Site notices have to be put up. There is a 28-day opportunity to make submissions, an opportunity to make an appeal and an independent appeals office. When applications are made in respect of all roads with the exception of motorways and national roads, the new requirements are incorporated into the Department's application system as part of the planning process. The Senator referred to the requirement to have a 60 m setback distance from a dwelling. This distance can be increased in certain circumstances, where appropriate.

Deputy Cahill asked a range of questions. Hedgerows have not been included in the system. There is an argument for including them. In recent years, almost 4,000 km of new hedgerows have been instated under environmental schemes like GLAS and AEOS. Coppicing and other

approaches are being pursued. I accept that hedgerows could and should be seen as part of our biodiversity from a carbon sequestration perspective. In any event, I have read that regardless of the type of plantation, hedgerows are considered to be better stores or reservoirs from a biodiversity perspective than conifer or broadleaf plantations. I have heard this stated and I have no reason to disagree with it.

The aim of the tax incentive, which has been accepted, was to encourage people. Approximately 85% of the €3 billion in Exchequer funding that has been spent in this area since 1990 has gone to farmers. It has been successful. We have 300,000 ha more forestry in the system now than we had in 1990. The rate of increase has slowed down for a number of reasons. At the outset, we were able to concentrate on the low-hanging fruit by incentivising afforestation on areas of land that were readily available. There are competing demands now. There are tax incentives for long-term leasing. We have seen an expansion in the dairy sector. Despite the position taken by some people, we have seen stricter guidelines and more stringent assessment in the approvals process. Some will say that this has slowed it down while others will argue that it is not restrictive enough. We have seen designations of land in terms of the hen harrier, the freshwater pearl mussel, acid sensitivity and others come into place, which has made it more onerous to get an approval and which has required resourcing in the form of archaeologists in the Department, an additional two of whom have been recruited. There is also ongoing recruitment of geologists.

This is something that we have to move and evolve with. As to the hen harrier, Deputy Cahill referred to the research and studies that have shown that with a proper thicket mix, anything from pre-thicket to post-thicket and first thinnings onwards, if the balance is got right, there can be a healthy environment with forestry at a certain level in plantations. That is certainly an argument that we have made and submitted to the National Parks and Wildlife Service. We advocate that controlled, managed afforestation can be allowed in hen harrier zones. The full approval for that lies outside our Department's control at the moment and this will continue to be the case. We agree that this can be managed sensibly and I do not see why it should not be.

I am not sure if Deputy Cahill asked the question, but on clear-fell timelines, 83% are approved within four months, 93% are within six months, and year-to-date approvals are up 270%, so there has been a significant ramping up. One archaeologist has been working full time on felling licence applications. We have an appeals process on that, on roads, and on approvals for planting. The new legislation has not been without its resources challenges in ensuring that the system works.

Turning to the question that was asked on making the system work better, Deputy Penrose asked about Scotland. If we can compare like with like and what lessons can be learned from their system, administration and processing are things that we are conscious of needing to be worked upon all of the time.

Deputy Jackie Cahill: What is the timeframe for the applications to receive permission to plant?

Deputy Andrew Doyle: We have turned that around this year. I have the statistics and I will come back to the Deputy on that.

Chairman: That is not a problem for me.

Deputy Andrew Doyle: On Senator Lombard's question on Moorepark, there was a

Teagasc village and there were afforestation people from the Department. Mr. Tom Dowling from Teagasc was definitely there advocating forestry. Every green certificate has a module on afforestation. Although I cannot say that definitively of the dairy knowledge transfer discussion groups, most knowledge transfers do have such a module. The ambition is that every discussion group would have such a module on considering forestry. It is part of the Teagasc plan. I expect that it will be implemented over the course of next year. A module on considering the planting of trees as part of the farm enterprise certainly forms part of the green certificate courses. It is not instead of or an either-or situation. This goes to a further point which Deputy Fitzmaurice made about shelter belts, to which I will return.

On Deputy McConalogue's question on diverse species, the afforestation programme of 2014 to 2020 sought to have a 30% broadleaf mix. One of the reasons it was difficult to get approval for any more than 20% of unenclosed land was that we were not hitting that target. We undertook a mid-term review in 2017 and published and enacted the recommendations of that in 2018, which included enhanced payments and incentives for broadleaves. We have seen in the course of that year the percentage of broadleaves go from approximately 22% up to 28%. The indications are that it is 28% and maybe closer to 30% this year. Those have been the incentives in every plantation. The monoculture plantation system does not exist anymore. We have native woodland schemes and a woodland environment fund which will involve the private sector, the corporates or whatever, as part of their corporate social responsibility. A one-off payment is made to landowners on top of the establishment grant and the premiums to plant a native woodland scheme. We have incentives in place in the form of a woodland improvement scheme and a continuous cover forestry scheme. There are a range of measures and are listed. I picked up the Teagasc forestry programme for 2014 to 2020 when I was down at Moorepark last week.

Senator Tim Lombard: Can I ask the Minister-----

Chairman: Briefly.

Senator Tim Lombard: How is the Minister of State going to change the ethos of beef and dairy farmers, in particular, to get them into the system and idea of having a percentage of the holding used in this way and what does the Minister of State deem to be a percentage of a holding that a beef or dairy farmer should be looking at? The ethos of a dairy and beef farmer and how they look at forestry, mentally more than anything else, is a significant issue. How do we change that?

Deputy Andrew Doyle: That is the challenge. If we look at some of the suggestions that have come from the European Commission such as Trees for Kids, and the plant a hectare initiative, we have approximately 120,000 farmers in the country. If half of them decided to plant a hectare each, that is 60,000 ha. That could be a broadleaf or a riparian margin along a river. We have initiatives such as woodlands for water, through which we work with the Department of the Communications Climate Action and Environment to seek to protect water through the water framework directive and to stop nutrient run-off by the use of nutrient management plans. There are a range of options.

Deputy Fitzmaurice mentioned shelter. Shelter last year would be shade from the sun, not shelter from the wind. It would have been as advantageous to have had a little bit of canopy on the border to stop animals getting parched and sunburned. I am not being facetious when I say that. We need to look at that, which is part of the mindset.

No more than the woodland environment fund is corporate social responsibility. Every

farmer, almost without exception, has the ability to assign some of his or her land to trees, be it commercial spruce, which will have a 15% diverse species, or be it a broadleaf coppice area - smaller areas - and feel and understand that they are getting it established and getting a premium for nothing. For others it could be forest for fibre for bio-energy.

We have a range of options there and I encourage people to promote it in a positive way. We all need to work together on this, and at the end of the day it helps us achieve what we set out to do under those three pillars, which are efficiency, displacement and sequestration, from the agriculture sector. It is the biggest single incentive we can take. It does not have to be giant steps. It can be small steps for many people. I fully accept, because it has come across a number of times, the need for Coillte, Bord na Móna, and other State agencies to come on board and to be more engaged. I accept that the record and the experience that some people had with the contracts were not very good. There was a range of different contracts. Last year, in particular, the former CEO of Coillte made a concerted effort to ensure that every single farmer that was contracted, in whatever arrangement that was in place, was contacted to see if it could be resolved. They were anxious from a PR perspective to become good partners again. We see Coillte as being a key player in the afforestation process to get to 8,000 ha. We see scope for the likes of Bord na Móna sites and other publicly owned lands to play their part in that regard. It will be an appropriate mix. It is about having the right tree in the right place on the right land. That is what it is all about. It is not a case of one size fits all. It cannot be. Carbon sequestration value is sometimes debated. It is said that broadleaves are better than conifers, but in fact it works out roughly the same because they are evergreen. Conifers store carbon for longer every year but their rotation is quicker. They lock in carbon. The technology now allows for the brush from clear-fell to be used when it is dried to generate heat and power in dairy processing and other plants. That leaves a cleaner and more efficient area to work on for replanting. There is a lot that we can do given the range of options. We can build a bioeconomy that could displace fossil fuels across a range of areas. We need to get everybody talking in a positive way and we all need to play our part. I am not lecturing anybody, but there is a range of options. When we think trees, we do not think one species in every situation. We look at what is best for a particular area and what would work. We can improve the water quality and the aesthetics, help the environment and increase the income and value for landowners. I understand that a group will come in after me to discuss their experience with ash dieback. We are determined to address that and to learn from the mistakes that were made to improve the scheme. We need positive experiences.

Deputy McConalogue asked about the volume of timber that will be produced. By 2035 it is estimated that the Roundwood harvest will be double what it was in 2015 and virtually all of the increase will come from the private estate. In 2018, for the first time ever, the volume of timber from the private estate exceeded 1 million cu. m. That is the beginning of it. I anticipate that as the volume increases, the experience of those who have been selling timber will be positive and they will realise that it is a lucrative and valuable enterprise and that they will be happy to reinstate their land into tree plantations. Timber will become a good news story. I hope word of mouth will have a positive effect and that we will hear from the people involved.

We have some way to go. Forestry can contribute much to the rural environment, to our climate change obligations and effort and to the economies of rural areas. There are 12,000 jobs in this. We export €330 million worth of timber, in particular to the UK, which is second only to China in terms of imports of timber. That is hard to believe. We export 70% of the timber products that we produce into the UK but that only accounts for 7% of the UK's imports. It is a very important market for us and there is significant potential. Currently, we import timber

from Scotland to service that market, be it for pulp or sawlogs. Our processors are not guaranteed sufficient supply indigenously, but that will improve. I hope there is a positive forecast on the value of the timber that is in many holdings throughout the country at the moment. The average hectareage is probably less than 10 ha and there are between 21,000 and 22,000 private owners in the country. I do not know if I have addressed all the questions but members can come back to me if I did not respond to their questions.

Chairman: I thank the Minister of State. We have covered a lot of ground in the past few hours. I think all the members are happy. I thank the Minister of State and his officials for coming before us today and giving us an understanding of the position with forestry. The next part of the meeting concerns ash dieback.

Sitting suspended at 6.15 p.m. and resumed at 6.17 p.m.

Ash Dieback: Discussion

Chairman: The next matter is a discussion of ash dieback affecting woodland areas, in particular in Limerick and Tipperary. I welcome representatives from the Limerick and Tipperary Woodland Owners group: Mr. Colum Walsh, chairman, Ms Mary McCormack, forest owner, and Mr. John O’Connell, committee member. I thank them for coming before the committee today.

Before we begin, I draw the attention of witnesses to the fact that by virtue of section 17(2) (l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to this committee. However, 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 a 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 and are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person or entity by name or in such a way as to make him or her 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 an official either by name or in such a way as to make him or her identifiable. I invite Mr. Walsh to make his opening statement.

Mr. Colum Walsh: I thank the Chairman for allowing us the opportunity to make a presentation to the committee today. I apologise on behalf of Ms Ann McIntyre who is an affected forest owner and who was expected to attend but, unfortunately, she is unable to attend today.

I will provide a brief outline to the timeline of ash dieback and how the situation has progressed to date. Ash dieback was first identified in Poland in 1992, and was scientifically named *Chalara fraxinea* in 2006. During this 14-year period ash dieback spread across Europe from east to west.

What does ash dieback do? Ash dieback spores land on the leaf of the ash tree and start to germinate and to invade the tree’s tissue. The disease starts at the leaf, it works its way into the stalk and then into the trunk of the tree. It chokes all waterways as it progresses. Ash dieback results in the withering of tree tissue, and eventually in the death of the ash tree.

Due to increased interest in the planting of hardwoods under the previous afforestation grant and premia scheme, additional ash plants were required in 2003 and 2004 to meet planters' demands. The additional plants were sourced from mainland Europe with no regard to the obvious threat to biosecurity in this country.

An ash plantation planted in County Leitrim in 2009 became the first confirmed site of ash dieback in Ireland in 2012. Soon after, the State enacted an eradication strategy to deal with the issue. It involved, first, tracing the imported ash plants to source and, second, the destruction of the contaminated plants and leaf litter via burning or burial on site. Unfortunately, it was all too late as the fungus had been imported and had already begun to spread. A reconstitution scheme was put in place by the forest service in 2013 to cover the cost of removal, destruction and the replanting of infected ash plantations with an alternative species. The scheme was used, under duress, by some forest owners, most of whom would agree that they were given no other option by the forest service. The scheme required all forest owners found to have ash dieback present on their site to notify the forest service, after which the owner had one month to name a registered forester who would work on behalf of the owner. If action was not taken within six months to remove infected trees and replant, all premiums would be stopped and repayment would be sought by the forest service. The reconstitution scheme set out compulsory disease control measures by which the forest owner had to abide and act on. Had the forest service enacted proper disease control measures for the importation of ash plants in 2003 and 2004 and subsequently in 2009, these being the plants that were used in County Leitrim, forest owners would not have faced this huge financial loss.

At the annual general meeting of the Limerick and Tipperary Woodland Owners in March 2018 forest owners voiced their concerns about the way they had been treated by the forest service in the ash dieback infestation. A committee was formed from the floor to address the issue and it went on to hold several meetings to discuss solutions to the ash dieback problem and how it had been handled to date. On 20 April 2018, a consultation period was opened by the forest service to review its ash dieback policy, with a deadline of 18 May for the receipt of submissions. The LTWO made a submission which set out clear proposals and options - I stress the word "options" - that should be made available to forest owners affected by ash dieback. We recommended that there be full compensation for loss of earnings due to ash dieback disease. Suggested solutions included allowing affected forests to be changed to continuous cover, Sitka spruce, agriforestry or any other grant and premium categories, GPC, option that might suit with 15-year premiums. We suggested owners be allowed to put their land back into grassland. As ash was typically planted on very good soils, this might suit landowners more than replanting trees. Another option we proposed was allowing forest owners to continue on with an infected plantation and paying them to remove infected trees, thereby enabling a possible genetic pool of resistant ash trees to be created for future use in combating ash dieback. We proposed the introduction of a targeted agricultural modernisation scheme measure for the grant aiding of small-scale forestry machinery in order that forest owners could actively manage and mobilise hardwood timber from their forests. We recommended that forest owners who availed of a new scheme to replace ash plantations not be subject to bundling of contract numbers, which appears to have happened in a number of cases in the reconstituted scheme, thereby bringing them above the threshold of 10 ha and making them subject to environmental impact assessment and local authority planning issues. The replanting of forests does not change the land use *in situ*. We noted in our submission that hardwood plantations were the least valued, with the only markets available being for hurley butts which are now disappearing and firewood. The forest service needs to develop a hardwood market and industry that is for more than just firewood and hurley butts. The benefit would be twofold - it would serve to

create rural economic activity and employment and, in addition, encourage respect for and a tradition of forestry in the countryside.

The LTWO received a confirmation email stating the forest service had received our submission. We were subsequently informed that a review would be completed by September 2018. Fourteen months later, we are still awaiting a review and consultation with stakeholders.

Committing land to forestry is not a decision taken lightly by any farmer. In most instances, the land has been farmed for generations before, for whatever reason, a decision is taken to plant forestry. These farmers are pioneers in a new industry which is still in its infancy in Ireland and made the brave and bold decision to plant ash on their land. They had no responsibility for the importation of the known disease that is ash dieback but, somehow, they have ended up bearing the brunt of the responsibility through financial loss, mental distress and the possibility of having a non-viable forest and devalued land. Meanwhile, those involved in the initial planting of forests, namely, the foresters, contractors and nurseries, received a second payment for the removal of infected trees and the replanting of the same sites. Farmers were advised and encouraged by the State to plant their land with ash, with the incentive of higher premium rates, the promise of a valuable crop of hurley butts and firewood and the potential to have a small furniture and flooring market. They were pioneers, but they have been overlooked and mistreated by the forest service. Ash dieback is an agricultural, heritage, national sport, rural and climate change issue that thus far has not been addressed by the State.

Chairman: I thank Mr. Walsh for giving us a detailed account of the issues related to ash dieback. We will now take questions from members, beginning with Deputy Cahill.

Deputy Jackie Cahill: I thank Mr. Walsh for his presentation which was concise and to the point. I have visited several plantations infected by ash dieback and seen the problems it causes. We made most of the same points as Mr. Walsh to the Minister of State, Deputy Doyle, when he was in attendance earlier. I have a few questions for the delegates.

Have Mr. Walsh and his colleagues had the opportunity to put their solutions for ash forest owners to the Minister? Do they have precise figures for the amounts of land affected? What figure do they have in mind for compensation for losses? Mr. Walsh referred to different measures of compensation, including allowing an owner to put the afforestation back into grassland and schemes that would allow them to replant and be eligible again for the 15-year premium. If we were to obtain departmental consent to address the issue, about what amount of land are we talking countrywide? Does Mr. Walsh have a figure in his head for the moneys required to do it?

The merit of the delegates' case is undeniable. It is putting it mildly to say it was an oversight by the Department not to check the biosecurity of the plants coming into the State. It was known for a generation that this disease was an issue on the Continent. It defies comprehension that plants were imported without taking into account the disease threat that was being introduced. I am particularly interested in the delegates' estimate of what it will cost to fix the issue in terms of compensation. The disease will still be present, of course, and its eradication will take a long time.

Deputy Thomas Pringle: I thank Mr. Walsh for his presentation which was concise and straightforward. Coming from County Donegal, I do not know a great deal about how ash dieback is affecting forest owners in counties Limerick and Tipperary. Unfortunately, we do not have much need for hurleys in my county. It is disappointing that the forest service has

not responded to the submission made by Limerick and Tipperary Woodland Owners. That is something the committee should take up because it is the very least the group should expect. The reply might not be what we want to hear, but, even so, we could work from there and look to deal with the issues involved. What Mr. Walsh is talking about makes perfect sense to me. We must do what we can to ensure he receives the reply.

On the proposal to allow some forest owners keep their forests and try to build an immunity crop or whatever, how feasible is that? It seems to make perfect sense and is the way we should be heading. They would have to be rewarded for that because it would be providing a greater service to the wider community. It is a proposal that should be considered.

Deputy Willie Penrose: I thank Mr. Walsh for his concise presentation. It was more valuable because it was concise. On the reconstitution scheme, I understood the Minister to say that 1,600 ha have been restored at a cost of €4.4 million. I asked him this question and I thought he said there was another 16,000 ha. That would mean another €44 million or €45 million in compensation would be required. That is just basic compensation. Can I extract from Mr. Walsh's presentation that this scheme was a failure insofar as the money did not reach the people for whom it was intended and that various intermediaries captured money from it along the way?

Once the disease becomes notifiable, forest owners have a very limited time to address the problem. It is similar to TB. The scheme had all the qualities of a TB scheme but at least under the TB scheme there was a compensation system that was tried and tested and agreed by the stakeholders. Was this scheme imposed on forest owners? Did they have any input into it? I tried to find out from the Minister about the stakeholders in the industry and I am still none the wiser. I admit I could be stupid and might not have understood what he was saying but as far as I could hear, everyone in the place was involved other than somebody representing the people who were affected. That was my gist of it. The witnesses might give a view as to whether they had any input at stakeholder or committee level into the way this debacle was handled because it was a massive failure of bureaucracy. The bureaucrats are very sharp. If one wanted to do something with one's house, they would be out like a shot but in this case they failed at a fundamental level. The problem is that the consequences are being visited on forest owners and there are implications for the individuals involved. If there are 1,600 ha to 1,700 ha, how many individuals are involved?

I suggested to the Minister that a proper forestry stakeholder committee be set up, which would involve the people who the witnesses represent, among others. Let us call them the small people because it is like everything in Ireland. There are many advocates for the big shots. I know that from my own area. I have a good record of speaking up for the smaller farmers. I am not too worried about the big ones. They have many advocates and can find ways to make their voices heard. Would the witnesses be prepared to serve on a stakeholder committee of that nature?

I am interested in the targeted agricultural modernisation scheme, TAMS, aid. I have a question down to the Minister, which may not be answered until October. Only 37% or 38% of TAMS money is allocated. Could the witnesses elaborate on the TAMS measure for grant aid for small forestry machinery? I do not regard them as huge machines. One would hardly see some machines costing €500,000. I do not like the idea of TAMS money going to prop up an unviable project. The witnesses might elaborate on that.

My final question is on the environmental impact assessment, the planning authorities and the contribution of funding. The implication of that is that forest owners would end up being

over the 10 ha and would have to prepare for that and have significant funding outlays as a result.

I refer to the possibility of ash dieback disease not being eradicated. I recall saying to somebody here that the TB scheme - I am using that analogy again - started in the 1950s. A famous leader of Deputy Cahill's, who later became President of Ireland, spoke about draining the Shannon. There is a better chance of the Shannon being drained than TB being eradicated in cattle. What worries me is that if this disease cannot be eradicated, what will happen then? Is that the reason the alternative of forest owners going back into grassland is being advocated? Why would they go back to that if they always have that fear? Is there something we do not know that might lead to ultimate eradication and allow them go back in, commence a new scheme and allow the 15-year process to start again? Is that what they are advocating? The witnesses might respond to those questions. I thank them for a very worthwhile presentation.

Deputy Michael Fitzmaurice: I thank the witnesses for the presentation. I have a few queries. In their submission they state that they were forced to bring in a person and inform the Department. If they had the ash dieback, and this is by way of educating me, was it not important that they got to the root of it quickly and took out the trees affected? If an area was being taken out, were they told to plant spruce or what was being put back in when the disease was present in trees?

In talking about solutions, the witnesses said to leave some of the trees in place for a while. Is that not dangerous because if there is a disease in trees it could destroy the entire farm? I want to be clear about one aspect. Are the witnesses saying that if they were drawing premiums for five or ten years and then discovered ash dieback disease they would enter a new scheme over 15 years because they would have to opt for spruce? Were they compensated for taking out the existing trees, replanting and carrying out whatever works were associated with that? Will the witnesses explain those to me?

Chairman: Do any other members wish to contribute before I call the witnesses?

Deputy Michael Fitzmaurice: I have a final question. Mr. Walsh talked about an appropriate assessment or an environmental impact assessment, EIA. Is he saying that if an area was found to have the disease, to replace it that would have to be done later?

Mr. Colum Walsh: I will try to address some of the issues that were put to me. In regard to Deputy Cahill's question, I do not have dates with me but I can send them to him. We met the Minister and officials on a couple of occasions and explained the ash dieback situation to them.

Deputy Jackie Cahill: As long as the witnesses met him, that is okay.

Mr. Colum Walsh: In regard to the area affected, the all-Ireland ash dieback synopsis on the Teagasc website states that 20,000 ha are affected by ash dieback. There are 500,000 km of hedgerows, with ash being the second most important species in hedgerows, affected also.

On a figure for compensation, I am not a forester but some of the figures on compensation were handed to me. The issue is that some plantations were at different levels of growth. On the typical 40-year or 45-year clear-fell of ash, figures given to me indicated that one should be clearing €40,000 per hectare. If 20,000 ha are affected, that is €800 million.

Deputy Jackie Cahill: Mr. Walsh has brought that to a grand sum.

Chairman: That figure might be rounded up or down.

Mr. Colum Walsh: If, as set out in our second point, we were to allow the forest owners to enter into a new scheme over 15 years of forest premiums - this relates to Deputy Fitzmaurice's question - there would be a financial loss to owners. Some owners might have taken up the reconstitution scheme having had 20 years of growth and received no compensation for the loss of growth with respect to the volume of timber. The timber is not suitable for hurley butts, as it is stained and withering. It is suitable for firewood, which varies from €20 to €60 per cubic metre at the roadside. If such compensation provision was to revert to allowing a forest owner to enter into a new 15-year scheme of forest premiums, the figures I have vary from €440 per hectare per year for planting Sitka spruce up to €665 per hectare per year for 15 years. At the higher scale for the 20,000 ha involved that would cost the State €13,300,000 per year for 15 years, a grand total after 15 years of €200,000.

Deputy Jackie Cahill: Will Mr. Walsh repeat those figures?

Mr. Colum Walsh: If 20,000 ha was allowed to be replanted under a 15-year scheme of forest premiums - ash cannot be replanted as it has been taken off the planting list - and if, for example, Sitka spruce was planted at €440 per ha, which is the annual premium paid per year at the lower scale, or native woodland was planted at the higher premium scale of €665 per ha per year, it would cost €13.3 million per year to repay a premium for each of those 20,000 ha.

Deputy Jackie Cahill: How would the group envisage compensating the person who would want to put his land back into grassland?

Mr. Colum Walsh: No cost should be incurred for the person who would want to put their land back into grassland. Some of the ash trees were planted on good land. That land could be valuable for leasing to dairy farmers. Also, the timber could be cleared, the stumps removed and the land reseeded, which would be costly but some people might want to do that because many forestry owners have been left with a very bad taste in their mouths after the spread of ash dieback disease. They had no hand, act or part in the importation of this disease but they are the largest group who have suffered the most.

Chairman: How much would it cost per hectare to put the land back into grass?

Mr. Colum Walsh: From speaking to one of two people at the National Ploughing Championships of all places, I understand that the cost of removing the stumps with heavy machinery would be approximately €1,000 per acre. Lime would have to be spread on the ground after that and grass seed would have to be sown. It would cost between €1,500 to €2,00 per acre.

Deputy Jackie Cahill: One could not do it for that figure.

Mr. Colum Walsh: Those are figures I have roughly worked out.

Deputy Jackie Cahill: I am not trying to be awkward but I could not see the stumps being removed and so on for €1,500 an acre. Could Deputy Fitzmaurice see it being done for that?

Mr. Colum Walsh: If the committee wishes, I could come back to it on this.

Deputy Jackie Cahill: No, it is all right.

Chairman: Was there much interest among farmers in wanting to put their land back into grass? What percentage of the total acreage we have discussed would that involve? Is that

figure known?

Mr. Colum Walsh: That is not really known.

Deputy Jackie Cahill: I asked how many owners are involved.

Mr. Colum Walsh: I do not have that figure. I only have the total acreage.

Deputy Michael Fitzmaurice: It is a secret.

Deputy Jackie Cahill: Can Mr. Walsh come back to us with that figure?

Mr. Colum Walsh: I can.

Deputy Jackie Cahill: In my part of the country such plantations are not used.

Deputy Michael Fitzmaurice: In respect of the 20,000 ha involved, what would be the average farmer-----

Deputy Martin Kenny: There are probably 2,000 farmers.

Deputy Willie Penrose: I would say there are at least 1,000.

Chairman: Mr. Walsh might come back to us on that over the summer.

Deputy Jackie Cahill: In general, they would have been small plantations.

Mr. Colum Walsh: They would have been.

Mr. John O'Connell: The average plantation was 8 ha.

Deputy Willie Penrose: That gives us the answer. There are 2,400 farmers.

Deputy Jackie Cahill: If we get an exact figure, Mr. Walsh might come back to us on that.

Chairman: Okay. Deputy Pringle asked questions.

Mr. Colum Walsh: Deputy Pringle asked if it feasible for forest owners to retain their forests? A committee was established following our annual general meeting during which 45 minutes to an hour was spent dealing with the ash dieback issue and 12 volunteers from the floor discussed it. Many of those people gave much of their time to attend meetings and some of them were willing to hang on to their ash plantations, remove the infected trees and to try to identify the genetic resistant strain they could possibly have. Some people wanted to do that because they were committed to forestry and the ash tree species. As to whether it is feasible for them to retain their forests, the forestry service has started to move towards the idea that the slash and burn protocol was not working because potential resistant ash trees were being removed. On the question of the feasibility of retention, yes, it is possible.

Moving on to Deputy Penrose's questions, there was no compensation paid to forest owners through the reconstitution scheme. It covered the removal and replanting of the trees but it did not cover the compensation for loss of earnings due to growth and sale of product for potential hurley butts or for firewood. Some people with plantations that may have been 20 years old took up the reconstitution scheme but they did not receive anything other than having their trees removed and they found themselves back at day zero instead of being at year 20.

Deputy Willie Penrose: Does that mean the grant went to the people who removed the trees?

Mr. Colum Walsh: Pretty much.

Deputy Willie Penrose: Effectively.

Mr. Colum Walsh: Effectively, yes.

Deputy Willie Penrose: Those forest owners were left with zero.

Mr. Colum Walsh: Yes.

Deputy Willie Penrose: A farmer would be in an awful state over the detection of brucellosis in his herd, but this is the equivalent of that for those owners. As bad as the other schemes are, these owners have ended up with nothing.

Deputy Michael Fitzmaurice: There is no grant for replanting.

Deputy Willie Penrose: No grant for that.

Mr. Colum Walsh: A question was raised about the targeted agricultural modernisation, TAM scheme. Tending and thinning grants are available for forest owners to claim. They are €750 per hectare. These are management tools. However, if one takes forestry on board, it is a labour intensive scheme. We felt that the TAM scheme should encompass small-scale forestry machinery, not large-scale machinery costing hundreds of thousands of euro. There should be some form of a TAM scheme for forest owners. Health and safety is a big issue currently. There would potential for personal protective equipment, PPE, to be covered similar to the TAM schemes that are in place. Also, small-scale timber forwarding trailers could come under that. Forestry involves considerable manual work and areas of health and safety and manual handling could be covered. That would encourage forest owners to take on some of the work themselves and to create a tradition. It is fine for people to get in contractors, everybody in farming does that. I am farming myself and I get contractors in whenever I can. It would be nice to start a tradition of forestry by encouraging a father to do some thinning and his son might get involved and interested, and people will start to learn. That is the way the forestry service will grow and encourage more forestry. Currently, farmers know a great deal about the price of a l of milk and the price of a weanling but when it comes to a cubic of metre of timber they do not know what is inside their farmgate, and that is the biggest problem we are seeing. When one talks to people at different meetings about the potential worth of their Sitka spruce plantation at clearfell, all of a sudden their ears prick up and they say they did not realise their 10 acres would be worth €100,000 at clearfell or potentially more depending on the species planted and its yield class. Forestry is at a crossroads and it needs to get through that but we need to make sure that those who commit their lands to forestry are the main beneficiaries of the sale of their product.

There was also a question about planning permission and environmental impact assessments. Ms McCormack will speak about them.

Ms Mary McCormack: I will give an example. I have approximately 50 acres of hardwoods, most of which are ash trees. I could take out less than 10 ha without planning permission, but if I was to take out the lot - approximately 20 ha - I would have to conduct an environmental study. Because there is a grey area the forest service told me to hang on in. I did so

and rang the planners who told me that because it involved a disease, they could not see how it would be a problem. I told them that I had been told that perhaps it might be. It was written into the Local Government Reform Act 2014 that anyone changing forestry or putting back in half Sitka spruce and half hardwoods had to seek approval. They said they would take advice on the matter. When I got back on to the planning office, I was told that I might as well apply for planning permission to clear it. Of late we know what happens when planning permission is applied for.

Deputy Michael Fitzmaurice: Ms McCormack went back to the planning office.

Ms Mary McCormack: I went here, there and everywhere.

Deputy Michael Fitzmaurice: In the county council.

Ms Mary McCormack: Yes. The people in it were unsure at the start. They did not think it would be necessary, but after they had taken advice on the local government Act, they said that because there was a tall, high forest and various other categories were involved, that perhaps it might be as well to apply for planning permission. I got on to the executive planner in Clonmel who was very sympathetic and suggested the best thing to do was to apply for planning permission. It would involve an environmental impact assessment and ecological-----

Deputy Michael Fitzmaurice: Money.

Ms Mary McCormack: Yes and I would pay for it. I would be at the loss of 21 years of growth and have to turn around and pay an amount that could vary from €6,000 to €50,000, depending on whether anything was found. My point is that the day I received approval was the day I was told that I had approval. At one stage we had a big beef farm with feedlots, barns and silage pits and no one was ever going to come back to us if we were reroofing or doing anything to them to say we had to apply for planning permission. It is so different in forestry. If it is not needed on the day approval is given at the start, why, 20 years down the road, would people be told that they must have a survey carried out and go through the planning office? I call it anti-forestry or an antiquated idea. We do not really know.

I have Sitka spruce. I must say I would not want it to be close to anybody's back door or near a school blocking out the light, but it is a wonderful crop of trees. People try to tell us that there is no biodiversity, but when we walk through the trees, we see eggs falling down from the branches. I do not know what species of birds are nesting in them, but they are laying eggs and the shells fall down onto the ground. There is a lot of nonsense spoken about people who are anti-forestry and we all have to get on together. We all have to support dairy farmers who have to support us. Nobody has a monopoly of anything. I came across somebody who told me that I should never have planted all of those trees. It was hard to keep my cool, but I did. I am so used to listening to it now.

We should receive more clarification. It is fine for those who are starting off now. They should go the planning office to ask whether there is any reason they cannot plant and what they need to do. They can then make an informed decision. I was sold a package which included everything Mr. Walsh quoted. At the time I had a 20-year premium, following which I would have an income from the production of hurley butts and this, that and the other. There would also be thinnings. I went for it because it was a scheme that had been drawn up by the forest service and it was a Government scheme.

I did not go into partnership with anybody. I did it privately because if the worst came to

the worst, I was told that I would be able to sell it on the open market based on its value and the value of the trees, but I was in for a sad disappointment, even though I had looked after it well. The biodiversity is fantastic. Teagasc is great in running open days for us. It has been a great help, but those who need to go to the open days in the future are the ecologists, planners and legal people. It is very hard to find a solicitor who knows anything about forestry and even to have a valuation made of a forestry plantation. We have to go to a forester and there is a big variety in what we are told. I just want to have my land replanted and do not want all of this hassle. I want to have it replanted and enjoy it. I only want compensation, but people cannot be compensated for the stress they have endured. We are in limbo.

In school in learning history we were told about an arboreal holocaust in the 16th and 17th centuries. That is what has happened to ash. It is like a holocaust. The entire species has been wiped out. It is hoped disease resistant species can be bred, but it could take 20 years. Dr. Gerry Douglas has been on my farm for two summers. Cuttings are taken and sent to eastern Europe. He is working on a project. However, it will take time to receive approval, go through all of the tests and for the root stock to be available. We will not replant ash if there is a question mark over it. That is where we stand, but I do not know where we will go. Young college students on holidays used to ask me to walk through the plantation with them. When I did so, I praised this, that and the other and said forestry was wonderful. I pointed to different things. The red squirrel was getting stronger, but do not ask me to do it now as I could not do it. I do not know what is the right thing to do. I do not know whether it is to try to put as much of it back into grassland.

That my story. The Minister of State spoke about the right tree in the right place. People make decisions on their own behalf and sum up their own situation, but it is some mess. We go here, there and everywhere in the hope we will get an answer. It was May 2017 when I received the diagnosis and the results came back from the laboratory that it was ash dieback and that it was endemic. We thought we could just do a thinning, but when the results came in we were told it was everywhere and that not even 20% or 30% of the trees could be salvaged.

Chairman: I thank Ms McCormack very much. She has really summed it up for us and has given us a very clear picture of her situation.

Mr. Mary McCormack: It is only my experience.

Chairman: It is probably replicated in other situations. That is why I felt it important that she come before the committee to highlight her situation. She has done so very clearly today. Does anyone have any other questions before I wrap up? No. As I have said, Ms McCormack has given us a very clear picture. We will follow up on her presentation, which was very concise and which hit the nail right on the head. We will follow up as quickly as possible. There are a few issues we would like Ms McCormack to clarify for us over the coming weeks. We addressed them earlier.

Mr. John O'Connell: One of the primary reasons afforestation has dropped way back is the way in which forest owners as a group have been treated, for example, with regard to ash dieback. We are the primary stakeholders yet one only hears mention of the processors and everything else that surrounds the industry. Without us, these other jobs would not exist. We have been dealt a very unfair hand.

Chairman: That is quite clear.

Mr. John O’Connell: We should be compensated properly.

Chairman: Absolutely. The delegation has made its case very well. We will follow up. I ask the witnesses to clarify the few points we have raised in due course. Is that all right? I thank them very much for their presentations here today. As members will know, we will be moving on to the third part of our meeting in the next few minutes. I propose that we take a break of 15 minutes to allow ourselves and the broadcasting people to get a bit of fresh air.

Sitting suspended at 7 p.m. and resumed at 7.30 p.m.

Business of Joint Committee

Chairman: We will resume in public session.

Alleged Issue of Abuse of Greyhounds: Bord na gCon

Chairman: We will move to the next item on our agenda. We will deal with the RTÉ “Prime Time” programme last Wednesday week relating to alleged issues of abuse of greyhounds. I welcome from Bord na gCon, the Irish Greyhound Board, Mr. Frank Nyhan, chairperson, and Mr. Denis Healy, veterinary director. I thank them for appearing before the committee to discuss the recent media reports on the abuse of greyhounds. I apologise for dragging you in so late this evening but we had other issues earlier on.

I bring to your attention the fact that witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if you are directed by the committee to cease giving evidence on a particular matter and you continue to do so, you are entitled thereafter only to a qualified privilege in respect of your evidence. You are directed that only evidence connected with the subject matter of these proceedings is to be given and you are asked to respect the parliamentary practice to the effect that, where possible, you should not criticise or make charges against any person, 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 House or an official either by name or in such a way as to make him or her identifiable.

Mr. Nyhan, I understand you will make the opening statement.

Mr. Frank Nyhan: I thank the committee for the invitation to attend today to discuss “RTÉ Investigates: Greyhounds: Running for their Lives” broadcast on 26 June. I am accompanied today by Denis Healy, veterinary director of the Irish Greyhound Board, and I wish to offer apologies on behalf of our chief executive, Gerard Dollard, who due to a long-standing commitment is unavoidably absent.

The Irish Greyhound Board unreservedly condemns the appalling practices evident on the “RTÉ Investigates” programme. They have no place in the greyhound industry or indeed in any area of activity involving animals. The welfare of the racing greyhound in Ireland is at the core of what the Irish Greyhound Board does. The Irish Greyhound Board, Bord na gCon, is

the commercial semi-State body responsible for the control and development of the greyhound industry in the Ireland. The board was established under special legislation by the Government in 1958.

In the context of governance, there are seven board members as well as the chief executive officer, the chief financial officer and an executive consisting of a veterinary director, head of regulation and other executives. We have 238 employees and the industry has some 7,300 owners and is estimated to be worth approximately €300 million to the national economy.

Greyhound welfare is a top priority for the board and there is an ongoing proactive approach to ensure animal welfare standards are consistently high throughout the industry. All reported incidents of greyhound cruelty and neglect are investigated and where breaches of the Welfare of Greyhounds Act 2011 are identified appropriate action is taken.

Addressing the recent televised exposé on the treatment of greyhounds, it is right that RTÉ would highlight illegal behaviour and the sometimes-appalling and egregious treatment of animals as a matter of public interest. The Irish Greyhound Board fully subscribes to and supports such an approach. However, we believe it is incumbent on the national broadcaster to provide factual and properly contextualised information. Balance is also important and one glaring omission from the programme was the good practice and behaviour adopted by the significant vast majority of people involved in greyhound racing in Ireland as well as the stringent legislative and regulatory framework in place to ensure general compliance and, more important, animal welfare.

The Irish Greyhound Board co-operated with RTÉ and accommodated its requests to film at our various stadia. We responded to numerous freedom of information requests and editorial queries. We offered a live interview on the issues raised during the course of RTÉ's research. This offer was not taken up. We have requested a copy of all footage and documentation from RTÉ relating to the programme to enable us to follow up on any allegations of the mistreatment of greyhounds or breaches of statutory regulation. We are currently awaiting same.

In many cases the programme used historical or out-of-context footage to highlight past poor welfare practices. It did not reflect the wider industry or the significant reforms that have been introduced by the Irish Greyhound Board in the past decade. It disregarded the thousands of genuine greyhound owners who love their greyhounds and their racing. Arising from the programme, numerous issues and areas should be highlighted. In early 2017, as part of an examination of the IGB and its structures, a company, Preferred Results Limited, undertook an analysis of the greyhound pool, although this did not form part of the brief at the time. The analysis covered 2013 to 2015 as well as a detailed study of the 2009 greyhound pool. The analysis was based on estimates and assumptions and lacked any empirical evidence base. This arises from the absence of a traceability system for greyhounds, a point I will address later. The data assumes a total of 5,987 unaccounted for dogs and assumed that these dogs were culled. The board did not accept the analysis as it did not reflect issues in the industry at the time whereby it was proving exceedingly difficult to fill scheduled race cards with racing greyhounds. For clarity, the IGB does not accept that 5,987 greyhounds were culled.

The greyhound racing industry of 2019 is an entirely different place to the greyhound racing industry of 2009 given the extent of reforms that have been made within the sector. The euthanising of healthy greyhounds is not acceptable and the board has recently taken measures to prepare a statutory regulation requiring that the euthanising of a greyhound can only be undertaken by a veterinary practitioner. The responsibilities of the IGB relate solely to the racing

greyhound. They do not extend to crossbreeds such as lurchers, which featured prominently in the programme. The programme highlighted erythropoietin as being prevalent in greyhounds. The last recorded instance of EPO by the Irish Greyhound Board was in 2005.

The board is aware of the historical cases of ear tampering featured in the programme, one from over a decade ago and one from 2013. In 2016, the IGB made it a regulatory requirement and a condition of entry that all greyhounds competing at licensed stadia were microchipped. This ensures all greyhounds are identifiable and, more important, linked to an owner. Reference was made to only one disqualification order for doping offences. Under the 2015 regulations introduced by the board a greyhound is automatically disqualified from racing when an adverse analytical finding is declared and the dog remains disqualified until a clear test, free from prohibited substances, is returned.

The IGB has made strong progress in the area of doping and medication. This is an issue for all sports but the enhanced regulation introduced by the IGB in 2015 and the successful defence of two High Court challenges to the IGB regulatory system in 2018 demonstrate that the current regime is robust. A total of 5,288 samples were analysed by the national greyhound laboratory located at the IGB offices in Limerick in 2018. I welcome the statistic outlined in the programme, if it is the case, that 80% of animal remedies seized by the Department of Agriculture, Food and the Marine relate to the greyhound industry. This is testament to the regulatory and integrity framework we have worked hard to achieve and implement. We have received excellent co-operation from the agencies involved, especially the special investigations unit of Department of Agriculture Food and the Marine, which holds the regulatory powers on animal remedies. Inspections of premises have involved IGB personnel and the high level of seizures suggested in the programme sends a clear message to all that illegal substances or animal remedies are not tolerated within the greyhound industry.

The early morning meeting at Kilcohan Park Greyhound Stadium in Waterford was featured in the programme. It was presented that the addition of early morning meetings would further increase greyhound pools. This is incorrect. The early morning meetings substitute for existing meetings. Kilkenny now schedules racing on a Wednesday morning in lieu of Wednesday night and Kilcohan Park schedules racing for Thursday morning in lieu of the previously scheduled race meeting on a Friday night.

The programme outlined some appalling practices involving the treatment of animals allegedly in China. The footage in this case was disturbing and first appeared on the Internet in 2015. The practice was further reported in the Irish national media in 2016. The footage shown on the programme also displayed other breeds of dog. The practices outlined in the programme relating to live animals are absolutely abhorrent. Anyone who owns or who has ever owned a dog was sickened by what they saw. The clear position of the IGB is that export of greyhounds should only involve countries that have a strong animal welfare code. I am satisfied that the greyhound community in Ireland has been utterly shocked at such practices and has heeded the strong advice by the IGB regarding export of any animals to such countries. Neither the IGB nor any Irish regulator is responsible for the appalling attitude to wider animal welfare that may be evident in other countries. We will continue to do everything possible within our remit to prevent exports of greyhounds to countries that do not have acceptable animal welfare regimes. Ireland is not in a position to restrict exports to any country but must operate under EU law and wider world trade agreements.

In terms of the IGB spend on welfare, the false impression was given on the programme that €100,000 was the amount spent from the allocation of €16.8 million from the horse and

greyhound fund. The €100,000 is a specific contribution that IGB makes to an special entity it has established to focus on the re-homing of Irish greyhounds, the Irish Retired Greyhound Trust. This contribution is additionally matched by a 2% contribution of winning owners' prize money, which derives from the horse and greyhound fund. In 2018, the total income of the Irish Retired Greyhound Trust was €242,000. This does not take into account the overall spend of the IGB on regulation and welfare matters, which was just short of €2 million in 2019. We continue to expand our welfare function as a priority area under our strategic plan for 2018 to 2022. A further full-time professionally qualified welfare officer was recruited in May 2019.

Since the airing of the programme, the board has met and agreed a range of additional measures to further enhance the welfare schemes already in place, including its fostering scheme, and to assure both the public and the wider and responsible greyhound community that we take issues of welfare very seriously. Any party aware of any breach of welfare regulation or any inadequate or inappropriate practices relating to greyhound welfare should report the matter to the IGB for full investigation. We have established a dedicated telephone line for that purpose.

Looking to the future, the board is in the course of implementing its strategic plan for 2018 to 2022 and at this point sees the key pillars to be progressed in the areas of care, ownership, breeding, regulation, doping and medication, stadia, tracks and exports. Today, I will focus on the area of care. Further work needs to be done to bring the care and welfare of the greyhound to the highest standard possible. Care and welfare are the priority in all activity relating to greyhounds. It is our intent, in accordance with the commitment in our strategic plan, to maintain animal welfare at the centre of our industry and, to that end, to devise a three-year transformative care plan for the industry. The primary responsibility for the care and welfare of any animal rests with its owner. The owner's obligations in this regard must be reinforced and form a legal obligation for which the owner can be held accountable.

The passing of the Greyhound Racing Ireland Act 2019, for which this committee deserves great credit, provides a significant modernising of the legal framework and the first such overhaul since the Greyhound Industry Act 1958. A key provision of the Act relates to the introduction of a traceability system for the racing greyhound, which has been sought for some time by the IGB. In addition to the provision of a traceability system for the racing greyhound, the board is also promoting a number of proposals as a radical rearrangement of responsibility and oversight for the greyhound and the care and welfare of the racing greyhound. These are: increase sanctions and strengthen notification requirements to the Irish Coursing Club, ICC, as keeper of the stud book, to ensure that transfers of ownership are promptly notified at the time of the transaction occurring; in the medium term a differentiation needs to be made between coursing and racing greyhounds, as two separate bodies have responsibility for the two different types of greyhounds; provide for a levy at registration stage in the stud book to contribute towards a pension plan for the greyhound in retirement - all levies should be paid into a separate care fund to be established by the Irish Greyhound Board through a trust, with external appointees to monitor the care and welfare programme; a levy on attendance income, prize money and a percentage of all sponsorship to be paid into the care fund; and an immediate expression of interest process for the provision of greyhound care centres so that greyhounds can lead a healthy life after retirement - these centres will be funded from the care fund and a contribution from owners.

The IGB has secured an ever increasing number of re-homings through the direct activity of, and indirect supports provided by, its established trust, the Irish Retired Greyhound Trust. Some 1,021 re-homings were achieved in 2018. An initiative is at an advanced stage of dis-

cussion with Greyhound Pets of America, GPA, and Finding Loving Irish Greyhounds Homes Together, FLIGHT, which should secure a very significant increase in international re-homings. We propose engaging with the Minister on a set percentage of the horse and greyhound fund allocation being assigned to the separate care fund to cover the range of initiatives and actions I have outlined and which are set out in the three year transformative plan. Where it is necessary that a greyhound be put to sleep the euthanasia shall only be performed by a veterinary surgeon by the use of lethal injection. This requirement should be extended to all greyhounds, including coursing dogs, by way of an order under the powers contained in the Welfare of Greyhounds Act 2011. We have drafted such an order for the Minister's consideration. We have commissioned a full analysis of, and sought recommendations on, our industry footprint for the future. This analysis is currently being undertaken by Indecon Economic Consultants, which previously reported on the greyhound industry, and we expect that its report will be completed in the autumn.

In conclusion, I wish to strongly emphasise that the IGB is committed to strong regulation of the industry and to following up any breaches of welfare or regulation within the statutory framework available to us. There is no place for cruelty or poor animal welfare practices in the greyhound industry and we will continue to work with all agencies to eradicate such behaviour. We will endeavour to respond fully to queries from members of the committee and if any follow-up is required we will be happy to facilitate such requests.

Deputy Jackie Cahill: I welcome the chairman and representatives of Bord na gCon. The programme we saw last Wednesday night week was very disturbing for those of us who love our greyhounds. Nobody who loves the sport of greyhound racing or the animals would support any of the practices seen on the programme. I watched it with a group of individuals and every one of us was horrified by what we saw. Those actions cannot be condoned. We are here to discuss the greyhound industry and Bord na gCon, but the programme definitely shook public confidence in the industry. I welcome the presentation by the chairman and the ongoing actions that are, and were, being taken by the board. Those actions did not start on the Wednesday night the programme was shown, but the board has a serious job of work to do now to restore public confidence in our industry and to show people that dogs are well looked after and cared for.

I will talk about RTÉ shortly. The vast majority of dog owners look after their dogs extremely well. However, to restore public confidence we must establish a database similar to the one we have for bovines. It must be a very accurate database and there can be no room for any errors in it, so that if an inspector visits a kennel, he will know there should be five, six, seven or eight dogs in the kennel because they are recorded and in a log book for that kennel. If a dog is moved on, sold or if it gets badly injured and has to be euthanised, all such actions will be reported within a period of seven days to the relevant authorities. That is essential. Figures that were mentioned in the programme are quoted in the chairman's statement, such as almost 6,000 dogs being unaccounted for. Mr. Nyhan said he does not agree with the figure, but the time has come where we must be able to account for the dogs properly and show the public exactly where dogs are. That must happen.

The export of dogs and the sale of dogs in this country keep the financial side of the business going. Without the export of dogs the industry would not be financially viable. This committee framed legislation in the last few months that went to the Dáil late in May. The Attorney General's advice to us at the time was that we could not control the export of dogs and that if a dog was sent to the UK we have no control over where that dog finally ends up. This is an issue we will have to address. If a country to which a dog goes does not have the proper welfare

standards, we must try to find some mechanism to stop animals reaching those countries. Department officials should visit countries - I am referring in particular to Pakistan - where there is a market for dogs and see what standards apply. If the standards in a particular country are not up to those that obtain here, we should try to find a mechanism to prevent the sale of dogs to that country. I do not know how this can be done legally but we will have an added complication because it seems a virtual certainty that the UK will be outside the EU in a couple of months. How can we impose our will on the dog owners of the UK? The latter has a very good record as regards animal welfare in general and I would hope that through negotiations with the relevant authorities in the UK, a mechanism might be introduced to control or ban the export of dogs to countries where welfare standards are not up to standard.

One of the disturbing aspects of the television programme related to dogs being dragged into a knacker and then shot. As has rightly been stated, that has no place in the industry. If a dog has suffered a serious injury and needs to be euthanised, it has to be done under the control of a vet. There are no circumstances where we can condone putting down a healthy dog. That is something everyone in the industry accepts. Increased money has gone towards welfare in the past number of years but in the report, I see that percentages of different sources of income will be devoted to the care of greyhounds. This is a step forward. Our guests have provided figures regarding the money that has been spent up to now but there could be a levy on various income sources. Most of our greyhound stadia have restaurants, many of which have service charges for different things. There should be a levy charged in respect of the entertainment in those hospitality units in order to provide extra funding for the welfare fund that needs to be put in place. Our guests also stated that they want to ring-fence a percentage of the €16 million the Exchequer provides for the industry for dog welfare. All those points should go a long way towards restoring public confidence.

A couple of weeks ago, officials from the Department appeared before us to discuss cruelty to horses and dogs. Animal welfare relates to more than greyhounds. Earlier today, we discussed the responses we received from the Department concerning the welfare of horses. Unfortunately, there are plenty of issues there. There are many instances of cruelty to horses. Again, the legislation that is there must be complied with. Regarding dog welfare, illegal hunting is happening and is a serious animal welfare issue. There are groups of people who go around the country with bands of lurchers and who have no respect for other animals. This matter also needs to be addressed. We have been told that the legislation is there to allow gardaí and dog wardens to stamp it out but, unfortunately, the resources are not there. This is an issue that also needs to be highlighted. There are people who have no respect for law and order who are marauding throughout the countryside and engaging in illegal activity. That has to be eradicated immediately.

The integrity of the sport has received a lot of media attention. As stated earlier, the legislation that passed through the Houses of the Oireachtas in May will hopefully allow us to enforce the regulations that exist. There have been a few cases whereby the dogs of high-profile people in the industry were found with a substance in them and the penalties one would expect to see imposed were not imposed. The programme broadcast the other night named one prominent trainer and stated that there were two other cases before the courts. It is essential for the integrity of the industry that anyone found guilty of having a prohibited substance should face the full rigours of the law. There can be no place in the sport for people who dope greyhounds. One man mentioned in the programme was found in possession of a large number of illegal substances. I presume this must go through the criminal process. Everyone is entitled to a trial and I am not taking that away from any individual but if that individual is found guilty, there

must be very severe penalties for him or her. We need lengthy bans and lengthy suspension because we have had high-profile cases. The previous law dated back to 1958 and was not strong enough to enforce the regulations but we have passed fresh legislation and the public expects and demands that anyone who has been found guilty of acts of doping will be dealt with fully, suffer suspension and be put outside the gates of the sport. We have seen that happen in our horse-racing industry whereby high-profile trainers who were found with illegal substances on their premises suffered lengthy suspensions. The same thing must happen in the greyhound industry.

Regarding balance in the programme, when footage is being shown, the one thing one would see is the date on which that footage was shot. I thought it strange that the programme did not state on which date the activities shown in that footage happened. Leaving that aside, the activities shown in the footage took place regardless of whether they were recent or they happened ten or 12 years ago. They happened so we cannot argue with that. In the interests of fairness, the time when they happened should have been stated in the programme.

The other aspect about which I was disappointed in the context of balance was the fact that Bord na gCon was denied the opportunity to contribute to the programme. In any programme, in order to get a fair balanced view, both sides should get a fair hearing. It was unfortunate that this did not happen. I am a dog owner and enjoy my sport but I want to be part of a sport that can hold its head up high and say it is run correctly and that welfare issues and integrity are addressed fully. Over the past couple of years, the board has been advancing issues but the programme has highlighted areas where improvements need to be made. The database must be set up and must be foolproof. We must ensure that the legislation enacted in May ensures that people who breach the rules of the game face the full rigours of the law. I would like the industry to enter into discussions with the UK authorities to see whether it is possible for the UK to prevent the export of dogs to countries where standards are not the same as our standards. As I said, the lifeblood of our industry is the sale of our dogs to the UK. If that was prohibited, the industry would not be financially viable. That is not an option. The UK's record as regards welfare standards are so high that it should be possible to get it to bring in legislation that would prevent dogs from going to countries where standards are not up to what we would demand.

Deputy Willie Penrose: I thank Mr. Nyhan and the others for coming in. I have to say that in 27 years of service in the Dáil I have never had such a reaction conveyed to me by members of the public and, indeed, some of my colleagues, including Deputy Kelly, registering their deep disgust and annoyance at the contents of that RTÉ programme. It was an important public service broadcast by the station. There was a bit of a deficit - in fairness, Mr. Nyhan referred to it as a failure to give Bord na gCon or other interested stakeholders a right to deal with some aspects which might have been helpful - but one could not negative or neutralise the main thrust of the programme. The practices that were revealed in "RTÉ Investigates" were horrific and abhorrent and have to be condemned with vehemence and equivocation. It defies description the disgraceful treatment of greyhounds and animals we have seen. Of course, the welfare and care of the greyhounds has to be at the top of everyone's agenda. It is not an afterthought and has to be an absolute priority.

All illegal behaviour has to be rooted out. I stated here on the previous occasion on behalf of the parliamentary Labour Party that we have always supported the granting of moneys for the horse and greyhound industries, but we certainly will be reserving our position in terms of the greyhounds from hereon in. It is not a decision taken lightly. We are rural people. We know how important it is. It involves funding of €16.8 million, as I have said previously. Including

the €68 million, there is €84 million in funding between the two sectors. There would be many children out there who cannot get orthodontic treatment. There are many people out there who cannot get any services for children, for instance, a school bus service, and that money would go a long way. We are getting to the point where these questions are being asked by members of the public and we have an fiduciary obligation to raise issues. I stated when we were here discussing the Greyhound Racing Bill 2018, which I made a significant input into with my colleagues, that I thought this sector was dancing at the Last Chance Saloon. I note this programme would certainly say that maybe it has passed the Last Chance Saloon. All illegal behaviour has to be rooted out without fear or favour. It does not make any difference wherever it falls. Those who act in a disgraceful and abhorrent way have to be rooted out. It is impossible to see how a dog or any animal could be subject to such acts of barbarity.

As I said, we spent a long time dealing with welfare and probity in the Bill. The focus was on welfare and probity, and integrity. Indeed, governance has to be a priority. There are many people in Mr. Nyhan's sector. There are nearly 240 full-time employees. That is a lot of employees looking after 7,300 owners. Surely, there has to be a tracking and tracing mechanism. I note Bord na gCon is bringing forward traceability, identification, etc. Deputy Cahill is correct. Every bovine animal can be tracked from here to Buenos Aires and until we get to that point in this sector, there will be questions to answer and Mr. Nyhan and his board and all those top people who seem to cost a right few quid have a job to do. If they do not do it, they will find people in here saying the €16.8 million will not be going Bord na gCon's way.

Those deficits and defects and all those abhorrences and cruelties have been identified. If any aspect of the law has become apparent since the Greyhound Racing Act 2019 was passed - it was only signed by the President in May - it should be identified *quam celerrime*. Bord na gCon should let us know. There should be no hiding place for anybody who dopes greyhounds, acts the maggot or is found in possession of illegal substances, and there should be significant penalties and fines. If the legislation does not provide for them, they should be provided for irrespective of the identity of the transgressor. The transgressor will get his or her day in court. If one puts a fines and punishment regime in place, deterrence is a critical aspect of all of this.

I note Mr. Nyhan stated that 80% of animal remedies seized by the Department of Agriculture, Food and the Marine relate to the greyhound industry and this is testament to the regulatory framework. Of course, I take that point, but I put it to him that the converse is also true. Eighty per cent is arriving from the one area. That means that 20% of animal remedies must be arriving from the other sources, which are significant. There are over 1 million animals in the other sources. Mr. Nyhan states we have only 7,300 owners in this area and we get 80%. While I take Mr. Nyhan's point that it indicates a degree of significant regulatory and integrity work, the other aspect is there is somebody with some sort of substance - remedies, drugs or whatever - who is transgressing. That is a horrific statistic.

I raised the issue of exports here. Indeed, Deputy Maureen O'Sullivan was here and we raised it, and pushed it and pushed it. What worries me about officials is that it did not matter how hard we pushed. The contents of that programme in relation to China and Macau was available months prior to the Bill coming here. It was real evidence, not some airy-fairy stuff. It was there and we should have taken a lead. I accept one can talk about European law but somebody has to take a lead. The European Commission comes forward with all sorts of stuff. We do not like some of it but we are loaded up with it. We should have taken a lead in putting in place strong legislation to prevent the exports to countries which have appalling and gruesome welfare records and practices. I was disappointed with that. That was one aspect of the

Bill with a significant lacuna. Where it is proven that there are welfare regimes that, at best, one could not describe as in accordance with welfare priorities or that are barbaric at times, nothing should prevent the application of appropriate legal protections for the welfare of the dog, greyhound or whatever. We could widen that to any animal. That is a lacuna in the law that has to be brought back here and tackled straightaway. The Government has to step on the matter and get the Attorney General on it.

In this report, Mr. Nyhan has made his pitch. In fairness, it is well made and well put out there. However, a few months ago, my colleague, Deputy Martin Kenny, raised a number of issues in terms of this report that was prepared for Bord na gCon by Preferred Results Limited. One of the problems the sector has is that it is always reactive. It is always reacting to some crisis or other rather than being proactive. That has all the signals of somebody being asleep at the wheel. We worked on the Greyhound Racing Bill 2018. It was here for the guts of three years. As far as I can remember, in 2016, we started to kick this about during Deputy Andrew Doyle's time here. Deputy Doyle is now a Minister of State. Bord na gCon should have been ready to hit the press button the minute the Bill was signed by President Higgins. Bord na gCon had to wait and as soon as this came out, the board was away out of the traps.

I wish to return to an issue that exercises my colleague, Deputy Kelly, who is quite sharp on these matters. When the Irish Greyhound Board commissioned the report by Preferred Results Limited, did the witnesses or their predecessors inform the Department that it was being commissioned? When did the Department see the report? The report seems to have had a significant input into the "Prime Time Investigates" programme. When was it finalised? More importantly, when did the Department see it? When did the board tell the Department about it? The statement provided outlines "Preferred Results Ltd ... undertook an analysis of the greyhound pool, although this did not form part of the brief at the time". What brief was given to Preferred Results Limited? What analysis was it asked to undertake? What was it charged with doing? What aspects of the industry was it invited to examine?

According to Mr. Nyhan, a small part of the report went outside the brief. The minute it did so, the board threw the report in the bin. It commissioned the report to clear things up after it sold Harold's Cross. How much did the report cost? The board commissioned a report which cost money and then threw it in the bin. Reports are prepared every day of the week for people within the Oireachtas and elsewhere in the country. If they do not like an element of the report, they do not throw it in the bin. Rather, they publish it.

Bord na gCon is in a different position from a private company, although such companies are accountable to their shareholders. A big shareholder of Bord na gCon, albeit not nominated, is the Irish taxpayer, who paid for the report and is entitled to see its contents. Why was the report commissioned and not published even if the board disagreed with it? The only figure with which the board disagrees relates to the almost 6,000 dogs that are unaccounted for. Of course, that is a reflection on everyone involved because there is no system of identification or tracing, etc. These are important issues on which we must get answers in order to support further monies going to the greyhound industry. They form part of the €16.8 million allocation of funding. We must find out how much the report cost and why it was not published.

Chairman: As Deputies Cahill and Penrose asked a significant number of questions, I will revert to the witnesses, starting with Mr. Nyhan.

Mr. Frank Nyhan: On the 80:20 split, my understanding is that the 80% comes almost entirely from one seizure initiated by a report from the Irish Greyhound Board to the relevant of-

officials of the Department of Agriculture, Food and the Marine. That is how the seizure occurred which accounts for the majority of the 80%. It is because of the proactive role of officials of the Irish Greyhound Board that the figure is 80:20.

I understand the Preferred Results Limited report cost in the region of €125,000. It was commissioned and delivered in 2017. The Department was informed of the report in May of this year. The report was intended to address the organisational structure of the Irish Greyhound Board and did so. The part of the report that went outside that brief is in respect of a dog pool analysis. We did not agree with or understand the conclusions reached by Preferred Results Limited in that respect. Frankly, we think it is wrong. It analysed a dog pool from 2013-15 but used breeding figures from 2009, which figures are incorrect.

Chairman: Does Mr. Nyhan wish to address the other questions asked?

Mr. Frank Nyhan: May I return to the questions of Deputy Cahill?

Chairman: Please do. Sorry, Deputy Penrose wishes to contribute.

Deputy Willie Penrose: A reply to a parliamentary question states that the Department “was aware in 2017 that the interim CEO of Bord na gCon, who was in place at that time, had commissioned an in-depth business model analysis of the organisation”. The Department was aware of the report.

Mr. Frank Nyhan: My understanding is that the Department does not accept it was aware of that in 2017.

Deputy Willie Penrose: I am referring to a question asked on 3 July 2019. The reply states: “My Department was aware in 2017 that the interim CEO of Bord na gCon, who was in place at that time, had commissioned an in-depth business model analysis of the organisation.”

Mr. Frank Nyhan: The Department may have been aware that the report was commissioned but it did not receive a copy of the report.

Deputy Willie Penrose: It is peculiar that the report was completed in 2017 but the Department did not receive it until 24 May 2019.

Mr. Frank Nyhan: That is correct.

Deputy Willie Penrose: Where was the report for two years?

Mr. Frank Nyhan: It was unused and not applied because we did not agree with its analysis.

Deputy Willie Penrose: If the report was no use and in the bin, why was it furnished to the Minister?

Mr. Frank Nyhan: He asked for it. I will return to the questions of Deputy Cahill. On traceability, we discussed this issue when we appeared before the committee approximately two years ago and sought its help in terms of the drafting of the Greyhound Racing Bill 2018. We had identified a problem in regard to the traceability of greyhounds. The proposed system enabled by the legislation is a shared database between the Irish Greyhound Board, the Irish Coursing Club and the Greyhound Board of Great Britain. The intention is that each of the parties will have access to the database and that there will be a statutory requirement on persons

to update all life information relating to a greyhound on the database. It will be initiated by the microchipping of a greyhound, which is a statutory requirement, and thereafter it will follow what we believe is the gold standard, namely, traceability for cattle, insofar as possible, with all events having to be recorded within a statutory timeframe on the database.

We require the co-operation of the Greyhound Board of Great Britain as a result of the transfer of greyhounds between Ireland and Great Britain. We hope that by having it involved in the database, we will be able to identify dogs that turn up in other jurisdictions and identify the persons who sent them there. The indications from Great Britain are that it will co-operate in excluding such persons from membership in its organisations. That is the plan in that regard.

On the levy, the intention is to raise approximately €1 million in a year from a levy on members and all functions, including those identified by the Deputy such as social functions that take place on greyhound tracks. This initiative comes from greyhound owners. I have attended greyhound tracks and meetings since the programme in question was broadcast. People are anxious that there be an initiative. The levy is the source of that initiative. The sum of €1 million will be raised by a levy of approximately 10% and an increased fee on the naming of greyhounds, which will require the co-operation of the ICC. I do not think the latter will be an issue.

On integrity, the Irish Greyhound Board is as satisfied as it can be with the current integrity regime. Each year, approximately 5,000 tests are carried out on greyhounds, including before racing, after racing, in their kennels and unannounced. Of those tests, approximately 0.4% return an adverse analytical finding, which is a very small number of dogs. All adverse analytical findings are reported and referred to the independent committee for adjudication. If the committee looks, as I know it does, at the results of the classics in greyhound racing for the past two seasons, it will see that they were all won by different greyhound trainers, large and small. The first three dogs in this year's English Greyhound Derby were all Irish owned and trained. They were tested in Ireland and England and there were no adverse findings. Insofar as we can be, we are satisfied with the integrity of the system.

Chairman: It was stated some 5,000 tests were carried out at kennels and racetracks before and after races. Is a breakdown of that figure available? How many tests were carried out at kennels, etc?

Mr. Frank Nyhan: We have that information, but we do not have it immediately available. We will, however, send it to the committee. It is available because all of the test results are recorded.

Chairman: That is fine.

Mr. Denis Healy: I will expand on what Mr. Nyhan said. On traceability, a greyhound microchip scanning project is well on the way to completion. It is almost developed at this stage. It is very advanced. The benefit of the project is, as Deputy Cahill mentioned, our officers will be able to go into establishments that have greyhounds to make welfare inspections. They will have a list of the greyhounds that should be on the premises because they should be on a database. Equally, the system will be able to record what sampling was undertaken to test for substances, whether prohibited substances or substances for therapeutic use. The database will also be able to track the treatment records, as well as racing and trial history. In reality, what is achievable - it will require a lot of work, but it is achievable - is the provision of a lifetime record for every event in a dog's life. It will extend from microchipping, marking, racing, sale,

export and transfer all the way until such time as the dog is given away for nothing on retirement and eventually put to sleep or dies a natural death.

Mr. Frank Nyhan: I think that covers the questions asked to date.

Chairman: Is the legislation that was passed and signed by the President in May strong enough as it is?

Mr. Frank Nyhan: Yes, it is. We have been given the tools to do what we need to do. We had a meeting last Thursday with officials from the Department of Agriculture, Food and the Marine. Commencement orders are needed for the legislation and we are discussing with the officials a schedule of the relevant orders and actions required.

Chairman: Is there a timescale for that to happen?

Mr. Frank Nyhan: The meeting was held on Thursday and we expect the legislation to be commenced early in the autumn.

Deputy Jackie Cahill: When will it happen?

Mr. Frank Nyhan: Early in the autumn, as in September.

Mr. Denis Healy: I thank the Oireachtas Members who put a lot of work into the legislation. The Irish Greyhound Board now has powers to make regulations dealing with the health and welfare of greyhounds. That is something we did not have. We also have powers to make regulations for the administration of funds. Funds can be ring-fenced after consultation with the Minister. It will include making provision for the rehoming of greyhounds. There is now no excuse for not getting this right because the powers are available. It is a case of doing it.

Chairman: The next members to ask questions are Senators Lombard and Paul Daly and Deputy Corcoran Kennedy.

Senator Tim Lombard: My two colleagues have made lengthy presentations on the RTÉ “Prime Time” programme broadcast on 26 June. It was a significant broadcast which shed light on the unfortunate procedures shown to occur in the industry. Some of the procedures went back years and were without a shadow of a doubt unfortunate. We had hoped the industry had moved away from financial issues and into a new era. The programme damaged the industry in the public’s eye and we have seen reaction to it in the past two weeks. I want to ask Mr. Nyhan about the reaction at dog tracks from the public and sponsors and the feedback from owners. How damaging has the two-week period been to the industry?

We hope the new legislation and new financial position will give the industry a new lease of life. What changes are required to move forward? What do we need to do to ensure we can bring public support back to the industry?

I ask the Chairman to look again at the traceability statement, what he said about traceability and how it is proposed it will work. It will be one of the key factors in bringing energy back into the industry.

From a bovine perspective, the website of the Irish Cattle Breeding Federation, ICBF, is one with which all of us here are familiar. It has a national, rather than an international, remit. It was stated that, in the case of greyhounds, the database might have an international remit, particularly in the context of cross-Border traceability. If we are to have that traceability in the

industry, do we need to have one organisation to cover both jurisdictions, namely, Ireland and the United Kingdom? How would it tie-in? What thoughts does Mr. Nyhan have on how traceability can be tied-in between the two jurisdictions?

I thank the delegates for the presentation. It was mentioned that a request had been made for clarity on some issues raised in the RTÉ programme. I think a request was made for a copy of the footage and documentation, but they have not been received two weeks later. Is Mr. Nyhan concerned about this? What legal powers does the Irish Greyhound Board have to deal with the mistreatment issues raised in the programme? Where do the regulations of the board stand in dealing with them? Where does the board go when it receives this information? Will it pass it on to the relevant authority to investigate? Is it the authority that will investigate? Two weeks after the programme was made, will Mr. Nyhan elaborate on what the board will do when it receives the information?

Turning to the differences in the data, 5,987 dogs were unaccounted for. That is a large number that rings in the brain. The programme graphically depicted treatment that was cruel. It gave the impression that the dogs were destroyed, unfortunately. Is it possible to break down the data? Mr. Nyhan stated data from 2009 had been used in tying the figures together. As I might be wrong about that, I ask the him to clarify the position. I think, however, that the programme was looking at events in 2013 and 2015, but the data used were from 2009. It seems amazing that in putting the story together data were used that were four years old compared to the greyhound pool being examined.

Other issues such as sampling have been covered. I have a basic question about how it is proposed that the new care fund will work. Will legislation be required or is the legislation that has been passed strong enough to enable the Irish Greyhound board to have such a care trust? Where does the board sit on the legislation? Does the legislation need to be re-examined by the Houses of the Oireachtas to tie in that aspect or does it give the board the power to tie everything together? If this matter does fall back onto the desk of the board, how long would it take to put such a proposal in place in order that we would have some clarity on the care trust proposal?

Senator Paul Daly: Most of what I was going to ask about has been covered by Deputies Cahill and Penrose. This is repetitive, but on the horrific issues raised by the RTÉ programme, when we sit back, look at it logically and seek constructive solutions, we have to return to the issue of traceability. If there was a proper system of traceability, dogs would not go missing and there would not be illegal exports. Traceability of dogs is the key problem. Mr. Nyhan stated in his report that Bord na gCon will concentrate more on this. With bovine animals, their births are registered and every movement until their death is recorded. Has Bord na gCon the manpower and technology to handle this, particularly considering the number of dogs involved? What onus is on an owner to register a litter of pups? Is there a time by which an owner must have all the pups registered? If there is, how is it policed? If it is not, why is that the case? Can an owner wait to see how the pups are maturing to get an inkling of how they might be before registering them? That would be vitally important. For example, calves have to be registered within two weeks. Should that be the same with greyhounds? Will Bord na gCon be able to enact what it is proposing?

The Greyhound Racing Act was only signed by the Minister in May. If that had been enacted in 2014, what would have been different on the programme we viewed last week? What could have been changed?

Bord na gCon advertised recently for two stipendiary steward welfare officers. I am led to believe only one was employed. There always had been three and there are currently only two. In light of what we saw on the recent television programme, does Bord na gCon feel the three stipendiary stewards should have been maintained? Will this be addressed? What action is Bord na gCon proposing to take in this regard?

Deputy Marcella Corcoran Kennedy: I thank the delegation for attending the committee this evening. What is the freefone helpline number mentioned earlier? The Department of Agriculture, Food and the Marine has a helpline for people who wish to talk in confidence about animal welfare issues. Is a licence required to exports greyhounds to, say, China? What is the procedure that somebody must go through to export a greyhound? Are trainers licensed? How does one become a trainer? Bord na gCon stated it has a new race management system which was put in place last October. How is it working? Has it been evaluated? There has been some public discourse about the withdrawal of sponsorship from greyhound racing. How will this impact on the business?

How do we prevent dogs being doped? Does a dog have to get blood tests in advance of a race? Is it detection such as checking a greyhound suddenly whizzing around the track after having failed miserably over the past six months? Is there a way of preventing doping before a dog ever goes near a track?

There was a reference to lurchers in the presentation and that Bord na gCon's responsibilities do not extend to them. Does Mr. Nyhan feel the television programme dragged Bord na gCon into the lurcher scenario? How are greyhounds identified as being microchipped? It is a regulatory requirement. Is it checked at every race meeting?

The report from Preferred Results Limited highlighted the industry was failing from a commercial and regulatory point of view. What is Bord na gCon's response to that?

Mr. Frank Nyhan: The industry has been damaged in the public eye over the past two weeks. Anybody who owned a dog or other animal and watched the television programme in question would have been horrified. Most people at this meeting are probably dog owners. I own basset hounds. Anybody whoever owned a dog would have been horrified by what they saw on the programme. Insofar as that relates to the greyhound industry, it is, of course, damaged.

The manifestation of the damage has been seen through the withdrawal of a number of high-profile sponsors, which has been on the news. It is understandable why people would withdraw their sponsorship. Fortunately, that has been confined to several sponsors. A large number of other sponsors stayed on board.

We are talking to sponsors about a changed model of sponsorship. Essentially, we are going to invite sponsors to become involved in the care aspect of the industry. Any sponsorship that we get from sponsors in that regard will go towards the care of greyhounds. The prize fund will be separate from that. Due to the model the industry uses, the withdrawal of sponsorship affects owners and trainers because the sponsorship money goes straight to them. The loss of that money is a loss for them in that regard. We would hope that with today and other meetings we might possibly stem that tide.

We will have a meeting with the British authorities later in July to discuss the question of traceability. The new traceability model will require the co-operation of the Irish Coursing

Club and ourselves. I do not anticipate any difficulty in that regard because both bodies are addressing this question. We would hope that we have the manpower and technology to implement the traceability system. What it requires is joined-up thinking rather than any massive investment in terms of people or technology. The current system, whereby some life incidents are reported to one agency while others to another, just does not work. There is an appetite among all the relevant bodies to get this done in a short time. The meeting with the UK authorities is this month. I would expect that, by September, we will be in a position to lay out how this is going to happen. It should be happening in and around then.

The Preferred Results report analysed the figures from 2013, 2014 and 2015 but used the figures for litters from 2009 and extrapolated forward. What happened was that there was a decline in the number of litters between 2009 and 2013. We were in the middle of an economic recession at the time. The basis was incorrect. To be fair, Preferred Results could never have got that correct because there are too many instances where there was no proper recording of greyhounds for anybody to be able to do that exercise properly at the time.

Chairman: Is it possible to know how many greyhounds there are in the country now?

Mr. Frank Nyhan: At the moment, there are 3,600 greyhounds in the country. In 2018, there were 2,344 litters. We send about 6,500 greyhounds to England every year. There are about 2,000 greyhounds coursing. Those are the current figures.

On the question on the disciplinary steward, I do not know the answer. It is an executive function but I will find out for the Senator. I would not have disagreed with the Senator in that I would have believed we should have our full regulatory team in place now.

With regard to current reporting methods, there is a statutory requirement on people to report life events with greyhounds but there is no proper method of detecting whether they have done it. Generally, by the time it is established that they have not, it is too late to prosecute them. The current regime does not work in that respect. Quite a few of the on-the-spot fines handed out by our stewards are for failures to report the change of ownership of a greyhound, for example. They are not being issued often enough and they are not large enough to-----

Senator Paul Daly: Is it proposed to impose them?

Mr. Frank Nyhan: Under the new Act, we have much more authority to increase the fines. We have the overriding authority under the new Act to impose very heavy penalties on those who bring our industry into disrepute. I refer to their future involvement in the industries. The members can take it that we will be using those powers. I will not specify any particular person or event in that regard. Where we are given the powers, we intend to use them.

Mr. Denis Healy: It is all well and good talking about traceability but unless the regime is enforced, it is useless. To answer Deputy Corcoran Kennedy's question, pups of 12 weeks of age or greater are microchipped. This is recorded in a database. Let us say a Mr. Cahill has a bitch that has six pups and they are recorded on the system. Twelve months later, they must be registered on the racing management system, RMS. This is when the Irish Greyhound Board first has a record of them. We have the manpower to check the record. If we have information that Mr. Cahill started out with six pups and registered only three on the racing system, we can ask about the remaining pups. If we see from the system that dogs are missing, we can go to Mr. Cahill and ask him to explain what happened them. He is required to inform the Irish Coursing Club within 14 days of a transfer of ownership, movement or death. If it is not done within the

relevant period and we investigate the matter, which we do, we can serve a fixed penalty notice. That is very doable.

To answer Deputy Corcoran Kennedy's other question, the microchipping is done. It is required beyond 12 weeks of age. Some 95% to 96% of the microchipping is done by officers, control committee stewards. They are officers in the employ of the Irish Coursing Club. We can say we have control over 96% to 97% through the Micro Dog ID database. There are one or two other national databases. If a vet microchips, it may be reported through the vet's system. There is still 100% access. That is the baseline.

With regard to the knackeries, Senator Daly asked who has the legal powers. I worked in agriculture for 20 years. Currently, the Department of Agriculture, Food and the Marine enforces the animal by-products regulations. It oversees the disposal of animal by-products. Greyhounds are category 1 material. They can be disposed of only in a certain fashion. It is up to the Department to ensure euthanised greyhounds are disposed of in the fashion in which they are required to be disposed.

Mr. Frank Nyhan: Deputy Corcoran Kennedy asked about the methods of detection. Essentially, urine testing is the standard method of detecting drugs in greyhounds. On occasion, there is blood sampling but generally there is urine testing. This is done either before or after a race, or on a kennel visit. If anything about the running of a dog causes concern for the stewards at the meeting, they can ask for additional testing. That is how it is done.

Mr. Denis Healy: I will add to that. We have a quite close working relationship with the special investigation unit in the Department. In the employ of the Irish Greyhound Board is an integrity officer, a retired Garda detective. We act on intelligence. A very high-profile case made the news some two or three years ago. I can say it was in County Kilkenny because it is in the public domain. As a result of intelligence from our colleagues in the Department of Agriculture, Food and the Marine, the premises in question was visited as part of a joint inspection. The Irish Greyhound Board targeted greyhounds there for sampling. What was found was a prohibited anabolic steroid, Stanozolol, which I call the Ben Johnson anabolic steroid.

There is what is called a MIDAS working group. It meets two or three times per year to share intelligence. It is shared by officers from the Department and Irish Sports Council, the head of the State Laboratory, the head of the Irish greyhound laboratory, the head of regulation in the Irish Horseracing Regulatory Board and the chief veterinarian in the Irish Horseracing Regulatory Board. I could go on. The shared intelligence is not published because it is intelligence but it is used to target suppliers of products for both racing industries. We have done so. The medicines found in the greyhound kennels were found because excellent intelligence was shared.

Mr. Frank Nyhan: The telephone number will be advertised in the media over the coming days. It is 061448100.

Mr. Denis Healy: Deputy Corcoran Kennedy asked about sampling. There is random sampling at every racetrack every night there is racing. For the competitions, we sample before and after races, perhaps targeting all the competitors. In fact, in the week before the finals or semi-finals of major competitions, there are visits and sampling at the premises of the greyhound owners, including on Sunday mornings. The visits are unannounced.

Chairman: Is there a licence required to become a trainer?

Mr. Frank Nyhan: Yes, there is. The licence can have conditions attached. An application is made to the Irish Greyhound Board.

Mr. Denis Healy: There are regulations for trainers in place since 1961. There are some amendments. It is under those regulations that a licence is required for both private and public trainers.

Chairman: Have any trainers lost a licence in recent years for any reason?

Mr. Frank Nyhan: Not while I have been on the board. There is a licence required for the legitimate export of canines.

Deputy Marcella Corcoran Kennedy: Is it issued by the Department of Agriculture, Food and the Marine?

Mr. Denis Healy: Yes. That is outside our remit. The Department issues what are called Balai certificates. There are health certificates, and the animals have to have certain vaccinations. For example, a rabies vaccination is mandatory. All of that is certified by departmental officials.

I will allude to the new Act. Under the existing export of animals regulations, there is no requirement to record anything other than the fact that it is a canine. It could be a shih tzu, an Irish wolfhound, a greyhound or a lurcher, but there is nothing on the tracking animal certification for export, TRACE, to say that. Under the new Act, we will be able to have a regulation requiring that the breed be recorded. If, for example, 200 or 2,000 dogs are exported next year, we will be able to record how many are greyhounds, as that information will be required.

Chairman: We will move on to the next questioners, Deputies O'Sullivan and Kelly.

Deputy Maureen O'Sullivan: I am always glad to acknowledge positives, and there were positives in the delegation's statement, but I take issue with the implication that, before the 2019 Act, a lack of regulation allowed all of this abuse and neglect to happen and the industry was under no obligation to care about greyhounds, and now that there is this regulation, the industry will care about them. Breaches of the few regulations that were in place had been brought to the IGB's attention over the years, but very little was done about them. In some cases, nothing was done. Can the IGB be trusted to do the work now in respect of animal cruelty that it allowed to continue?

I will cite a couple of examples. One dog tested positive three times for cocaine, yet it was invited to the night of stars. The same dog was nominated for greyhound of the year. Breaches of sales regulations were brought to the IGB's attention down the years. On the export of greyhounds, I point the witnesses to a letter that the IGB received in 2016 that referred specifically to nine Irish-registered greyhounds that arrived in separate shipments in Macao. It also referred to another attempt to export 24 greyhounds from Cork to China via Heathrow, but they were turned back at Heathrow because of the poor conditions in the cages as well as other concerns. The ISPCA, the Dogs Trust and the Irish Blue Cross had made statements that any dog going to China would face certain death. I do not hold with the claim that we cannot stop them from going to China. Other countries do, for example, Italy, France, Australia and the US. They do not export their dogs to countries that do not have animal welfare regulations. The IGB was informed of these exports at the time, but we did not even get a letter of condemnation about it, never mind see anything being done.

In another incident, there was a fine of €800 for an owner because of forgery and failure regarding transfers of ownership, yet nothing has been mentioned about the fact that it had been brought to the IGB's attention that that owner had allowed his greyhounds to be shot and dumped. He would not reveal to the IGB the name of the person who carried out the shooting, yet that same man was licensed to race greyhounds in 2016. These are not isolated cases.

I acknowledge the welfare groups that, through their own fundraising, have been picking up the pieces where unwanted greyhounds and other animals are concerned.

Injured greyhounds are being given medication to continue racing. Requests to the witnesses' organisation for information on same were refused until a newspaper gave the details of the IGB's knowledge of these injured greyhounds being made to run.

Issues like these have been brought to the IGB's attention down the years. I do not accept that a lack of regulation means cruelty to greyhounds should be allowed to continue, yet that is what has happened. The terrible irony is that, if the IGB and other organisations had acted at the time, that programme might never have been made. It is great that the IGB is acting now, but look at what it took. Animals were cruelly abused in the meantime because of a lack of action.

I wish to ask about the board and the application process. Are there people on the board who voluntarily give of their time to the welfare of greyhounds? I heard from one person who had tried to submit an application on which he had stated that the reputation of the industry and the welfare of dogs were his priorities. He did not even get an interview. Maybe the board receives hundreds of applications, but I was taken aback by that. I am concerned about the composition of the board.

The witnesses might clarify something about the €16 million plus. Were there ever cuts to that funding in the past eight or nine years?

I am surprised by the low detection rate of illegal substances, but we know from other situations how these substances can be screened. The low rate is unusual, to put it mildly. I am also bemused that, if a dog tests positive for cocaine or something else, the dog cannot race, yet not much seems to happen to its owner. He or she continues in his or her activities.

The programme was mentioned, but my understanding is that the IGB was not denied an interview. Rather, it was told that the programme had been prerecorded and it was given an opportunity to prerecord an interview. The witnesses might like to clarify that issue.

The IGB has a great plan for re-homing and looking after unwanted greyhounds, but it is short on detail about how that will be done. In the meantime, organisations, some of which have been in existence for many years, have been dealing with unwanted greyhounds through their own fundraising. Since the programme, one of them has been inundated with calls from owners who do not want their greyhounds anymore. There is severe pressure on the organisation, but when it turned to the IGB for some funding, it was denied. We know what the cost is. How will the IGB carry out its plan and why is it turning its back on organisations that have been doing this work?

I attended the committee's debate on the greyhound Bill. I proposed amendments to try to stop exports of our greyhounds to countries where there was no animal welfare legislation, but I was told that it would be too difficult to implement. That is no reason not to legislate. Every Bill that appears before the House would be difficult to implement, but where there is a will, there is a way. It can be done.

I am not a member of this committee - I am substituting for Deputy Pringle. I ask the Chairman to set a date for the IGB to appear before the committee again, give the details of what it is setting out to do and show what actions have been taken in greater detail than was provided in its statement to us today.

Chairman: We can address that at the end of this meeting. As the Deputy knows, this is our last meeting before the summer recess.

Deputy Alan Kelly: I thank the Chairman for allowing me to contribute. I am not a member of this committee, although the Committee of Public Accounts will on Thursday discuss our work programme for after the summer. This fund is up for discussion, so we will see where we can fit that in after the break.

I will not harp on. I agree with the sentiments expressed by many of the contributors about the disgraceful scenes we saw on RTÉ's programme. I believe in fair play and we need RTÉ to clarify the question about allowing people to appear on the programme, but I think that RTÉ did the public a great service. I acknowledge the work of RTÉ and Mr. Conor Ryan. If ever an industry needed a watershed moment, this was it. I am someone who supports the greyhound industry. I support the many good people, particularly in my county, who are huge lovers of the industry, work hard and do things in the right way.

To save time, I will fire off a list of questions. Instead of engaging in a discussion, maybe the witnesses could take note of them and revert to the committee.

A report was commissioned and a company carried it out for €125,000. What company was that exactly and what similar reports had it carried out? According to the introductory statement, the company in its report also considered an area in respect of which it had not been commissioned. How did that happen, what were the report's terms of reference and was the company paid proportionately for a part of the report that it was never meant to do in the first place? Surely that €125,000 was €150,000, €160,000 or €170,000. Surely the IGB did not pay for something, on behalf of the taxpayer, that it never asked for in the first place. I have an issue with the fact that this report was never sent to the Department, and that the Department did not receive it until recently, on 24 May. Did anyone in the Department, to the witnesses' knowledge, hear of or see the contents of this report? It is an extremely important question. In a recent parliamentary question, I asked for a list of all meetings between the chair, board members, or executives of Bord na gCon and Ministers or officials from the Department. I will not bore the committee with the full list, because it is public now, but it shows that 14 or 15 meetings were held between the time the report was finished and when the Department received it. In all that time, during those 14 or 15 meetings, nobody from the IGB said they had commissioned this report, which cost €125,000, that it said all of these things and that they were not accepting it. I have no issue with the board not wanting to accept the report, but I have an issue with the IGB spending €125,000 of taxpayers' money and not giving the report to its parent Department over the course of 14 or 15 meetings. That is incredible to me, and that question needs to be asked.

I refer to greyhound exports. Has the IGB ever paid, in any way, for board members to visit China, and if so, for what purpose? When did that happen, who went, and what was the cost?

I ask the witnesses to provide the committee with all funding requests the IGB has received from greyhound welfare organisations in the last three years, and to tell us what was done with them. Do they support the new greyhound adoption strategy recently brought forward in Tipperary?

There are issues with the current structure of the organisation. Does the IGB have a sales and marketing director, or a commercial director? What does the deputy CEO do? How much did it cost to run Bord na gCon in 2018 versus what it cost ten years ago?

I agree with Deputy Maureen O’Sullivan. There is a lot of talk about welfare now because there has to be if we want to save the industry. Where is the funding for the welfare pot going to come from? Is it going to come from breeders, from the IGB’s overall budget of €16 million, or from both? Many of the breeders and owners watching this committee tonight want to know that because they are very concerned about the answer to that question.

Finally, the issue of drugs has been raised here before and the case was cited of a dog that tested positive for drugs three times. Dogs that test positive do not race, so how can somebody whose dog tests positive be allowed to remain involved in greyhound racing? When is that going to change? It affects how people think about this industry, to a disheartening and worrying level.

Chairman: Before I move on to Deputy O’Keeffe, I want to clarify something in the interests of fairness to both witnesses and others, and because of difficulties faced in previous committees. The witnesses were invited here, last Wednesday week, to discuss issues raised in the RTÉ programme. That is the reason they are here.

Deputy Alan Kelly: None of my questions-----

Chairman: I am just pointing that out.

Deputy Alan Kelly: All my questions are about Bord na gCon.

Deputy Kevin O’Keeffe: Like my colleagues, I acknowledge that the greyhound industry is damaged. Perhaps supporters should be let out of their traps soon, for damage limitation purposes.

No one condones what was shown on the television, but there was a touch of “Reeling in the Years” to many of the clips. I came into the Dáil in 2016 and the greyhound industry has been under attack from day one. I have been supportive of it and I hope to still support it. There was a lackadaisical approach to the industry, and the legislation was not strong enough, but in fairness to the Minister, the Department of Agriculture, Food and the Marine, and the Minister of State, Deputy Doyle, they sat down with our party colleagues and Deputy Cahill in particular, and thrashed out new legislation which I hope will alleviate the issues we saw and ensure they cannot be repeated or allowed occur again, once it is properly up and running.

We acknowledge that there are people in every sector, industry, or sport who give it a bad name, and they have to be culled. Trainers drugging dogs and being allowed off the hook were mentioned, and that must be stopped. Regarding animal welfare, the last time I saw something like one of the clips from the RTÉ programme was nearly 50 years ago when, as a child, I saw my grandfather getting a pig ready to be cut up in the backyard at home. What I saw the other night was in no way as bad as that, but it goes to show the horrors that happen abroad. How do we stop that? Perhaps some of my left-wing colleagues should talk to the authorities in those countries and tell them to get their houses in order regarding how they treat dogs that are no longer fit to race.

Much was made of the point that we have committed to giving over €16 million of taxpayers’ money to the IGB annually, which I hope continues. However, I ask Mr. Nyhan to explain

what we return we are getting from that investment. Is that €16 million going into a bottomless pit, or is something being generated from it, either directly or indirectly? Coming from a rural background, I can see the benefits of the greyhound industry in my own area in north Cork, as well as in east Cork where the Youghal Greyhound Track is being kept open. It is of benefit to local organisations and communities, which go to greyhound tracks and make tremendous amounts of money in fundraising. Those people would not go to the racing if they thought the dogs would end up like this, so we need to nip this in the bud.

I ask Mr. Nyhan to address the legislation that was brought in recently, the Greyhound Racing Act 2019. Does it need to be copper-fastened or amended again, in order to ensure the contents of the clips we were shown cannot be repeated?

I have some concerns regarding the disposal of greyhounds. I understand that there is an issue around category 1 disposals, as not all knackereries have that licence, and putting more of them in place would create further complications in the disposal of animals who have been put to sleep because the veterinary costs are astronomical. I hope we can move on from this debacle. Can Mr. Nyhan tell us whether the legislation we put in place has to be tightened up more, in order to ensure we do not have further repeats of what happened five or six years ago?

Mr. Frank Nyhan: I will start with Deputy O’Keeffe’s last question. Both I and the board think the legislation is perfectly adequate, and that it just needs to be implemented. The powers granted in that Act are sufficient to do what we have to do.

The €16.8 million budget, as the committee knows, is a percentage of the horse and greyhound fund, which is essentially funded from the bookmaking levy and redistributed. A report commissioned from the economist Mr. Jim Power and furnished to this committee in 2017 showed that something in the region of 5,000 people are directly employed in the greyhound industry in Ireland, and a further 12,000 are employed indirectly. Approximately 20,000 people derive economic benefit from the greyhound industry and it is worth roughly €300 million. The contribution from the greyhound industry to PAYE and PRSI is approximately €12.5 million per annum. From a purely economic point of view, the €16.8 million is justified.

I will turn to the questions from Deputy Alan Kelly. Many of his questions request specific information that I do not have at my disposal today. We will get that information and we will forward it through the secretariat. Both he and Deputy Maureen O’Sullivan referred to a dog that was tested three times. There is a question of due process in that particular case, as it remains before the control committee of the IGB. We have no function in regard to that committee, which is entirely independent, and until it has adjudicated on the matter, it is not appropriate for me to comment. The matter has been before the High Court. It was dealt with there and it is now back before the committee. People are entitled to due process and it is not appropriate to comment further in respect of that particular case.

The welfare care fund will come from the industry and all who participate in it, namely, owners, trainers, breeders, those who attend dog racing and who go to our restaurants. That is the view of the membership. That is what they want to do. I have been at dog tracks for the past two weeks talking to people about this. In fact, I was at a meeting in Deputy Kelly’s constituency in Thurles.

Deputy Alan Kelly: Fair play.

Mr. Frank Nyhan: That is the view of the people who were at the meeting. They want to

be seen to address the issue and to be part of the solution.

Insofar as I know, regarding the organisation – we clarified the position precisely because there were questions – we do not currently have a sales and commercial manager. That function is being carried out by the chief executive at present. We do have a marketing manager. The deputy chief executive deputises for the chief executive when the chief executive is not available.

I will get the Deputy the information on the Preferred Results Limited report and forward it. I will also provide information on the meetings with the Department and the funding requests we have received and how we have dealt with them. The Tipperary adoption scheme to which the Deputy referred was launched this week so I do not think anyone has had a chance to consider it yet. Mr. Healy will deal with some of Deputy O’Sullivan’s questions.

Mr. Denis Healy: I take issue with the statement made by Deputy O’Sullivan that we have done little or nothing to enforce the existing regulations. In 2018 alone, 491 inspections were carried out in establishments where there were greyhounds. We have reports on each inspection. Where issues arose with the inspections, notices were served on people to improve conditions and where people failed to provide information they were also served with notices. Fixed penalty notices were also issued. At every racetrack, each night there is racing there could be ten races each night and 60 greyhounds racing. Each dog is weighed in and inspected by control stewards who are involved in animal welfare. There is a regulation whereby if a dog has lost or gained 3 lbs then questions are asked. If a greyhound is presented that is not fit for racing according to the view of the control steward, the veterinary surgeon who is on duty on the night is asked to examine the dog and it is not allowed to race. There is great oversight. If there are ten races then there are 60 examinations on a night. Like Mr. Nyhan, I will not comment on the specific case, which is ongoing.

As regards investigations of greyhounds going to Macau, I am only a year and three quarters in the system - I accept that is no excuse not to have an answer - but where information was received according to the Department’s regulation, we followed it up to see if the dogs originated in Ireland and we interviewed people but we can only go so far. In fact, where the dogs are exported beyond the 12-month period, we are statute barred from doing anything. That said, the Deputy alluded to the export of greyhounds from Cork to China and them being stopped at Heathrow Airport. The export of any greyhounds out of this country is under the control of the Department of Agriculture, Food and the Marine. We are not shirking our responsibility, but the Department carries out the examination and issues the certificates. Exports take place under its remit and if there are reasons, it can prevent exports. I am only a year and a half in the job but I know that the person who transported the dogs was brought before the head of regulation and was interviewed. I interviewed him personally. There was no legislative provision that would allow us to prosecute. There are conditions on his licence and he has been warned. He stated that it will never happen again. We did not do anything, but we did what we could within the regulations.

As regards the low volume of substances found, the laboratory in Limerick is accredited to international standards by the Irish National Accreditation Board. I will not call it a new machine because it is there since 2017. A total of €400,000 was spent on it. The machine is now capable of analysing to parts per trillion. We are a semi-State body and we are bound by national legislation. Under current legislation, if there is an adverse finding regarding a substance the control committee, which is an independent body, will decide whether the substance was performance enhancing or inhibiting at the level it was found. It is not just a case of finding a

substance. The system might operate slightly differently in other jurisdictions, but that is how we operate under current legislation.

We are working with international bodies. The board has agreed with Australian greyhound racing authorities to partake in scientific trials on substances in order to be able to say that substances have a pharmacological effect at certain levels. We will be able to agree international standards. We are also going to have a similar agreement with the UK. When the agreement was put in place with the Australians, we agreed that not alone would the trials be on medicines, anti-doping and substances that affect performances but we would also look at welfare standards. That will be progress.

Regarding the low level of substances found, the equipment is capable of screening for tens of thousands of substances and, without labouring the point, many of the substances found are what we all take, namely, paracetamol, also known as acetaminophen, ibuprofen and ketoprofen. These are common or garden therapeutic medicines. Flunixin is a non-steroidal anti-inflammatory. All but Flunixin are licensed as painkillers and anti-inflammatories for the treatment of greyhounds, or any dog that requires treatment, but they cannot be used on greyhounds close to a race. If we find them above certain levels, the cases are referred to the control committee for it to make the final decision.

Chairman: Deputy Maureen O’Sullivan had a question about welfare organisations.

Deputy Maureen O’Sullivan: The question is about the board and if the funding had ever been reduced. Were the inspections that Mr. Healy talked about unannounced or does Bord na gCon notify the owner before a kennel is inspected?

Mr. Denis Healy: There can be a bit of both. I can find out for the Deputy but, obviously, if there is intelligence that has prompted an inspection, owners are never pre-warned. A large number of inspections are unannounced. Greyhound trainers are not very happy with that but they have got used to it. That is the standard to which we operate.

Mr. Frank Nyhan: Funding has changed over the years. It has gone up and down and currently stands at €16.8 million. For clarity, we do not allow injured greyhounds to run and we do not allow substances to be given to allow injured greyhounds to run. If such a substance is detected, that is an adverse effect and it is reported.

Deputy Maureen O’Sullivan: A person’s greyhounds were being exported and were stopped at Heathrow Airport. Why was that person not banned from greyhound racing? He has proven himself to be totally immune to animal welfare. I noted Bord na gCon placed conditions on his licence and so on but I do not understand why he was not banned from racing greyhounds. I know our guests do not want to comment on an individual case but surely imposing a ban would be a real indication that Bord na gCon was taking these matters seriously.

Mr. Denis Healy: The decision to disqualify or suspend a greyhound, or exclude a trainer, can be recommended by the board but it is a decision of the control committee.

Deputy Maureen O’Sullivan: My final question is about giving money to the welfare groups which have been working for years now on rehoming greyhounds. They have been doing the work that Bord na gCon says it is going to do now. Why can the board not fund these groups, many of which are registered charities?

Mr. Denis Healy: I do not have the facts but I am aware that we have given substantial

amounts of money over the past two or three years to five, six or seven organisations that I could name. Substantial funding has been given, twice a year, towards acknowledging the fact that these organisations rehome greyhounds. We are delighted that they do that and we would certainly be in a poorer position if they did not do so. We are acknowledging those groups. Some of that funding was in the form of individual cheques in the amount of €5,000 which is not insubstantial. We have also provided funding towards the neutering, castrating or spaying, and vaccination of greyhounds to get them ready for a new home. Funding of up to €130 is available in each such case. Whether to increase that amount is currently under consideration because we are aware that the fees veterinarians charge are putting pressure on those organisations. We acknowledge what they do.

Deputy Maureen O’Sullivan: It might be useful to get the list of organisations Bord na gCon is funding.

Mr. Denis Healy: We will provide that.

Mr. Frank Nyhan: The Deputy can give me the name of an organisation or a person and I will undertake to respond.

Deputy Maureen O’Sullivan: Did RTÉ make an offer to do a pre-recorded interview?

Mr. Frank Nyhan: For clarity, there was an intimation that we could do a pre-recorded interview which would be edited. That was not deemed satisfactory.

Chairman: Deputy Martin Kenny, who arrived late, has a couple of questions.

Deputy Martin Kenny: I was in the Chamber for a debate on the Mercosur deal. I thank our guests for attending. Many of us were not especially surprised at some of the practices we saw in the greyhound industry because we have been hearing for a while that there were issues. I will go through some of the details. The issue may already have been dealt with but I want to ask about the number of dogs that are bred and never run. The number of pups involved is considerable. Whose job is it to monitor that? Who is failing to do their job?

I also want to ask about the use of substances and drugs and the whole doping issue. We passed the Greyhound Racing Act in which we put tighter controls in place but all the controls in the world will only match up if people on the ground are prepared to implement them. Bord na gCon and everyone in the industry have a big job of work to do in trying to build confidence so that the general public, the taxpayers who are putting €16 million a year into this industry, can be confident that the industry is prepared to do its job. There was clear evidence in the programme that people in the industry are not doing their jobs.

On the export of greyhounds and dogs ending up in other countries, the programme showed a number of greyhounds in Pakistan, which had been advertised online for stud. They were still registered by the owner in Ireland. Has Bord na gCon followed up with the owner since the programme aired? What has been done in this case? Can our guests give an example of Bord na gCon taking the types of actions I expect it to take?

The programme also showed greyhounds being brought to an illegal or unregulated coursing event on an island. Has Bord na gCon any control over that? What element of control does it have in such circumstances? Are our guests aware that this sort of activity, while not common, is also taking place in other areas of the country?

Mr. Frank Nyhan: I will start with the last of Deputy Kenny's points. Not wishing to shirk our responsibilities, that is a matter he will have to address to the Irish Coursing Club, whose representatives are present. That is exclusively within the remit of the ICC.

I gave figures relating to the dog pool and production of dogs earlier but it will be no harm if I repeat them. There are-----

Deputy Martin Kenny: I am sorry if I am being repetitive.

Mr. Frank Nyhan: This bears repeating. There are currently 3,600 dogs in the racing pool in Ireland. There were 2,344 litters in 2018 and a litter is accepted as being between five and six pups. Every year, 6,500 dogs are exported to England and approximately 2,000 dogs go coursing. We are rehoming between 1,100 and 1,200 dogs per annum. Those figures balance. We are producing the number of dogs we require for the industry. That is the current position and those are empirical facts. That was part of the reason we had a problem with the report produced by Preferred Results. We obviously monitor the number of dogs that are running and the number of litters. Allowing for the problems with traceability, which we have been addressing here for some time, there appears to be a balance between the number of dogs being produced and the number required. The stated aim of the Irish Greyhound Board is that no healthy dog should be euthanised and that remains the position. That is the gold standard.

Mr. Denis Healy: More than 5,000 samples are taken annually in the greyhound industry, which works out at nearly 5% of dogs competing in races based on a figure of 93,000 race participants. A substantial percentage is being sampled, even if some of those dogs were sampled twice or three times. That is the case. I am not saying we are the best in the world but the number of samples taken for prohibited or controlled and therapeutic substances across all other sports in Ireland is either 968 or 689. That is the figure for the sampling of humans conducted by Sport Ireland in cycling, rugby, GAA, swimming and other sports. We are not the best in the world but we are taking what we believe to be a representative sample. We should bear in mind that some of those samples are taken out of competition, in circumstances where we have intelligence. More of those targeted tests are being done. All dogs in semi-finals and finals are tested and random sampling is done on race nights. If there is suspicion at the end of a race that a dog has underperformed or overperformed, our control stewards and the racing manager can hold an inquiry, which is done. The instruction to them is that the dog is immediately kennelled and sampled after the race, and the dog's sample is analysed. We have found some substances there. It is a matter of our stewards being alert and trained to do the job, which they are doing. That is where we are on the doping and controls. The integrity of the sport is absolutely paramount. As was alluded to earlier, there are morning and other meetings, Sunday meetings in Mullingar and on Youghal track at night, that are streamed into bookies abroad, for which the Irish Greyhound Board is paid a fee. They are watching us like hawks, absolutely. If they get a sniff that there is a lack of integrity in the Irish greyhound industry, they will pull the plug because they will not be prepared to put up with gambles and that kind of thing.

Deputy Martin Kenny: How did RTÉ make the programme if everything is being done so well? There was an example on the programme of one breeder on whose premises a whole lot of illegal substances were found. He had won numerous races for years. If the greyhound board is doing such a good job, was it just one failing in one place and RTÉ was lucky enough to find it?

Mr. Frank Nyhan: No. On that particular incident, the detection was brought about by the Irish Greyhound Board. It was the Irish Greyhound Board that drew the attention of the Depart-

ment of Agriculture, Food and the Marine to those premises and it was part of the search group that uncovered those items on the premises. We are not a perfect industry. The programme was made because some people did some terrible things which needed to be highlighted. We accept that fully. All of us who love dogs were absolutely appalled with what we saw on that programme. Those sections of the programme did the public a service and we are not attempting in any way to resile from that fact. There were just some other issues in the programme which require clarification. We have had an opportunity to do so and as far as we are concerned, we have said what we have to say about that.

Deputy Martin Kenny: Has Mr. Nyhan a response on the dogs in Pakistan?

Mr. Frank Nyhan: Pakistan is also a coursing issue. They do not race on tracks in Pakistan. I understand the film did not even involve greyhounds but someone else can clarify that for the Deputy.

Chairman: That completes the questions. I thank Mr. Nyhan and Mr. Healy for coming before the committee at reasonably short notice. I acknowledge that they might have preferred if their chief executive was here but it was important that we start this process. There are a couple of issues on which we will need clarification and we would appreciate that as soon as possible.

Mr. Frank Nyhan: We have taken a note of the information the committee requires and we will get it back to the committee as fast as possible. I understand there is a request for a further meeting. We are quite happy to do that whenever is convenient for the committee.

Chairman: On that point, I was going to suggest it take place in the next term, which starts on 17 September. We will see when we can fit the follow-up meeting into our schedule. I would suggest early October.

Mr. Frank Nyhan: I thank the Chairman and members for the opportunity.

Chairman: We will suspend briefly to allow the next witnesses to come in.

Sitting suspended at 9.35 p.m. and resumed at 9.38 p.m.

Alleged Issue of Abuse of Greyhounds: Irish Coursing Club

Chairman: We are resuming for our last session of the evening. From the Irish Coursing Club, I welcome Mr. D.J. Histon, chief executive. I thank him for coming at short notice and apologise for keeping him around all evening.

I draw the attention of witnesses to the fact that by virtue of section 17(2)(1) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, 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 a 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 and are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, 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 House or an of-

ficial either by name or in such a way as to make him or her identifiable.

I invite Mr. Histon to make his opening statement.

Mr. D.J. Histon: I thank the Chairman and members. At the outset, the Irish Coursing Club, ICC, wishes to state clearly that it does not condone any acts of greyhound cruelty as highlighted on the “Prime Time Investigates” programme. The images shown on the programme have jolted the industry and the participants in the industry want to see change to eradicate such actions in the future. While time could be spent analysing and explaining elements of the programme it is more important to focus on what needs to be done to ensure the continued viability of the industry with the greyhound as the primary focus. The Irish Coursing Club, ICC, was established in 1916 and was reconstituted under the Greyhound Industry Act 1958 and is responsible for the regulation of coursing in Ireland. It is the keeper of the all-Ireland Irish greyhound stud book which was first published in 1923. It publishes the sole greyhound weekly paper under the *Sporting Press* title which was renamed in 1952. It regulates greyhound racing in Northern Ireland, in the Brandywell in Derry and Drumbo Park in Belfast. It operates one of the four Department of Agriculture, Food and the Marine approved micro-chipping databases under the name of MicrodogID.

Following a review of the programme, the following areas require change and enhancement to restore general public confidence and to maintain the confidence of greyhound people and stakeholders within the industry: the issue of traceability; the export of greyhounds to other jurisdictions with no welfare regulations; clarification of the Whiddy Island footage; prohibited substance testing in coursing; and re-homing of greyhounds as they transition from performance to retirement.

On traceability, the introduction of a traceability system for the greyhound industry will ensure that real-time accurate information will exist for all categories of greyhounds as they progress through their lifecycle. This will mean that at any one time, the industry will know the number of live registered pups, the number of live registered named greyhounds, the number of live greyhounds registered for track racing and coursing, the number sold in Ireland and to other jurisdictions, the number euthanised by a vet and the number re-homed through various re-homing bodies and the number retained as pets. The system will also categorise the number of brood bitches by establishing a brood bitch register, which will require an inspection of the breeding facility prior to breeding. A person will have to register as an owner prior to registering a greyhound. The owner will be given a unique ID to link all greyhounds in his or her ownership and to track movement of his or her greyhounds during their lifecycle.

A traceability system must be executed on an all-Ireland basis given that the majority of greyhounds move freely between the North and the South in terms of competition and breeding. It must also link in with the Greyhound Board of Great Britain’s system given the close relationship between both jurisdictions. This will ensure a single greyhound system with the co-operation of the Greyhound Board of Great Britain, GBGB. A review of traceability systems in the UK and greyhound racing states in Australia, such as Victoria and New South Wales is ongoing. A meeting is scheduled with the GBGB this month and this topic will be on the agenda. This will ensure the model adopted in Ireland is effective and complete. The ICC also suggests the establishment of an Anglo-Irish committee to keep matters of integrity and welfare under review.

On the export of greyhounds via the UK for forwarding to other countries with no welfare standards should be structured around strong legislation, the export of greyhounds to countries

with no welfare regulations is not illegal *per se* but we can work with the GBGB to assist it on implementing the GBGB policy on such exports which states: “Involvement in the export of greyhounds to jurisdictions where welfare standards cannot be verified is not acceptable and GBGB will employ the full powers available to it to prohibit individuals from deliberately undermining the good reputation of licensed greyhound racing in Great Britain.” In order to monitor the movement of greyhounds to other jurisdictions, the following procedure is to be agreed, as movements of greyhounds to other jurisdictions mainly flow through the UK in the first instance: the seller must receive export permit and provide the necessary information on end destination and the reason for the export; new owners must include an owner code allotted by the GBGB on the transfer notification form; the ICC must notify GBGB of movement to the UK registered owner; the GBGB must mirror ICC export system; and if a greyhound is found to be located in another jurisdiction following arrival in UK, then the GBGB can sanction that individual.

On the Whiddy Island footage portrayed as illegal on the “Prime Time” programme, by way of background, the ICC regulates coursing and clubs operate under the Open Seasons Order 2005 in terms of legitimacy to course at regulated coursing matches. Clubs listed on the licence schedule are authorised to net and tag hares for the purposes of coursing, while the Open Seasons Order 2005 permits coursing in general during a defined period.

Coursing clubs comprise the following membership-affiliation: park clubs require the netting and tagging licence and all greyhounds are muzzled; open coursing clubs are affiliated and are listed on the licence schedule and all greyhounds muzzled; and associate open coursing clubs are not listed on the licence schedule and all greyhounds are muzzled. The membership type distinction between affiliated and associative affiliation is that the latter does not attract voting rights at ICC provincial AGMs or at the ICC national AGM. All clubs pay insurance premium and affiliation fee to ICC regardless of membership type. Bantry Open Coursing Club paid its insurance and affiliation fee on October 9 2018 for last season and is one of 19 associative clubs and was established in 1950. The club has coursed on Whiddy Island since that time and would offer that is why the Island has such a strong hare population, unlike Bull Island which is often said to have no hares on the island anymore.

Associative clubs typically course on Sundays, with landowner permission, and organise small, mostly four-dog events with the odd eight-dog or so events, with token prize money and trophy. Associative coursing is the foundation of coursing prior to evolving into park coursing which we have today. The associative clubs operate under the Open Seasons Order 2005, in the same way as a pack of beagles or harriers or someone shooting the hare, in that they do not require a licence, with the proviso they observe the period specified in the order, that is, 26 September to 28 February.

The ICC promotes hare and greyhound care as per the code of practice in appendix 1 which was submitted to the secretary of the committee. To make a distinction - Deputy Martin Kenny raised this issue - Illegal hunting is where packs of unmuzzled dogs hunt with the express purpose of killing the hare. It is indiscriminate in nature and occurs on a 12-month basis. This illegal activity is conducted without landowner permission, often involves intimidation and threats to landowners and often results in assaults. The ICC is working with the Garda, National Parks and Wildlife Service, NPWS, and the IFA on this issue.

On prohibited substance testing in coursing, the full rule on which is contained in appendix 2, the ICC adopted rule 88 to deal specifically with prohibited drug breaches after reviewing all other racing jurisdictions. It extended its testing regime to include all provincial coursing meet-

ings. Over the last three years, 679 tests were taken, with 668 negative and 11 positive findings. The purpose of testing and the associated penalties is: to protect the welfare of the greyhound; to protect the integrity of coursing; to maintain public confidence in coursing; to maintain proper standards for all coursing participants; and to bring about a positive behavioural change. A sanction may be accompanied by an advisory notice to point out what changes in behaviour or attitude is required. The procedure then involves an adverse analytical finding. Once a positive test is notified to the ICC, the greyhound is suspended immediately until the conclusion of the hearing before the independent hearing committee. Therefore, it is possible that the greyhound cannot compete until that hearing is completed. There is minimum mandatory fine range from €1,000 to €3,000, depending on the substance categorisation. The independent hearing committee has discretion to increase a fine by a further €7,500 and fix the hearing costs against the transgressor. The minimum mandatory suspension range is three months to five months to be served during a coursing season. This can be extended to six months by the hearing committee. In the event of the fine remaining unpaid, that person is then placed on a forfeit list, whereby he or she cannot attend a coursing event or register or transfer a greyhound. A further amendment will be placed before the ICC AGM to debar a greyhound found in breach of rule 88 from competing in any coursing classic event.

On the re-homing of greyhounds, the ICC currently provides administrative support to welfare bodies in terms of registration and micro-chipping services which is free of charge. It proposes to work with its membership and re-homing bodies to promote the homing of ex-coursing greyhounds. Owners currently adopt privately or through the Irish Retired Greyhound Trust, IRGT, and this can be expanded on further by working in tandem with the announced changes. The implementation of levies to be ring-fenced in support of re-homing efforts and building on the existing structure is necessary to fund this strategy. Economies can be achieved by developing a central structure that can be leveraged appropriately.

The industry incorporates both track and coursing and therefore all greyhounds are equal in terms of industry responsibility and all opportunities should be open to either code by way of setting up a structure where the ICC contributes appropriately.

In conclusion, a paradigm shift is taking place and it is important not to react but to act in a responsible way to ensure the changes implemented consolidate the industry on every level while keeping the greyhound to the fore. The industry relies on a significant voluntary effort across both codes, with each owner sharing the responsibility of caring for his or her greyhounds. It is the industry regulator's function to be accountable for implementing and policing the rules, policies and procedures on behalf of all industry participants. The ICC considers it critical that engagement with the Irish Greyhound Board and the Greyhound Board of Great Britain is appropriate in promoting joined-up thinking in a cohesive manner for the sustainability and betterment of the industry as a whole.

Chairman: Thank you. I call Deputy Cahill.

Deputy Jackie Cahill: I thank Mr. Histon for his presentation. It is very late at night and we have been sitting for nearly seven hours at this stage. I will not repeat the issues I set out to Bord na gCon in regard to our abhorrence of what was seen on the television programme. Instead, I am going to focus on items in the ICC presentation and the ICC can take it that our position has not changed from one hour ago, when we were interviewing Bord na gCon.

The first paragraph that I would welcome in the presentation is that which refers to the export of greyhounds to the UK and the ICC's plans to try to work with GBGB to ensure that dogs

only go to countries where there are acceptable welfare standards. If we can work on that and make sure it happens, it would do a lot to restore public confidence in our sport, which would be welcome. None of us, in particular members of the public, want to see dogs go to countries where welfare standards are not compatible with our own. We need to co-ordinate that work with GBGB. As the Chairman said at the end of the meeting with Bord na gCon, we hope the ICC will be able to come to us in the autumn and report on progress on that paragraph as to GBGB policies on such exports.

The clarification on the meeting on Whiddy Island is also welcome. The programme definitely gave the impression it was an illegal meeting. Open coursing happens in my county as well, and there is definitely one club, if not two, that practices open coursing every weekend. That is their sport. As I said, the dogs are muzzled and the meetings are held under strict rules. Those people who attended that sporting event on that day deserve an apology because it was definitely portrayed that something unregulated was happening. As Mr. Histon has clearly stated, it was a licensed event and was operating fully within the rules of the sport.

When Bord na gCon was here, we mentioned the issue of illegal hunting. One month ago, we had officials from the Department at the committee to discuss the legislation governing animal welfare as regards horses and dogs in particular. Unfortunately, illegal hunting is a serious issue and it is happening more frequently. In my county, virtually every Sunday, there are reports of gangs coming with ten or 12 lurchers. They are hunting across the country and killing anywhere up to ten or 12 hares in a session, then putting this up on Facebook and betting on which lurcher kills the most hares. This illegal activity has to be stamped out. Earlier today, we talked about the resources in regard to the microchipping of horses. More resources need to be put into this area and we need to have more dog wardens. Gardai have said to me that if they catch someone hunting illegally and the dog warden is not on duty, they cannot seize the dogs. That will have to be addressed. A dog warden will have to be available outside of office hours to ensure that if these people are detected hunting, their dogs can be seized and the appropriate action taken against them. This activity has no place in any society. The hare is a beautiful creature and to have that kind of illegal hunting happening is abhorrent.

The ICC went through its findings and the procedures it has in place. The minimum mandatory suspension ranges from three months to five months during a coursing season, and this can be extended to six months by the hearing committee. I would like to see that expanded. Obviously, a person might offend once and, for example, as in horse racing, a dog can receive a substance that the owner might not be aware was prohibited. That can happen, and accidents do happen. However, for anyone offending on more than one occasion, the suspension should be larger than what has been outlined. There is no place in coursing or dog racing for people who are giving prohibited substances. While I accept mistakes can happen and an owner can give a remedy to a dog and not know it is prohibited, a repeat offence would warrant more than the suspension outlined. Mr. Histon says it is a minimum but I would like to have more clarification and stronger rules for repeat offenders.

With regard to the rehoming of greyhounds, as Mr. Histon rightly said, there are dogs that run at coursing meetings and dogs that run on tracks, and both industries have to work together as regards welfare. Bord na gCon has given a clear indication of what it has been spending on welfare and what it intends to spend in the future. I notice the ICC has a clear declaration that it is going to contribute to the same extent, as appropriate to its industry. It is important that coursing is shown to put its shoulder to the wheel as regards the rehoming of greyhounds, and it is important that some resources are put into this by the ICC. I know all dogs are registered

with the ICC and a levy needs to be put on the registration of all dogs. I understand the ICC would not have the corporate facilities that Bord na gCon would have, and there is not the same opportunity. However, Clonmel is a great event and there are sponsors in Clonmel, so there could be opportunities to get money for the rehoming and welfare of dogs. Bord na gCon has clearly stated it intends to levy virtually every aspect of the sport where revenue is coming in to put a pot in place for the rehoming of greyhounds. I would like to see a little more flesh on how the ICC is going to do that. I fully accept the point in the presentation that the commitment is there. When the ICC comes back to the committee later in the year, it should be able to show us how it is going to co-operate with the other sections of the industry to ensure adequate revenue is in place so we can be sure dogs are well catered for in their lives after racing.

Deputy Maureen O’Sullivan: I thank the ICC for the report and there are some positives to be acknowledged in it. However, it is no secret that I am against live hare coursing. I have tried to get it banned and I will continue to try to do that. While our emphasis this evening has been on the greyhounds, there is tremendous suffering for the hares also. We have list after list, catalogue after catalogue, after each hare coursing meeting, legal and illegal, of the tossing, the mauling and the injuries to the hares. Hares die or have to be put down afterwards, not to mention what happens with the netting of the hares, both legal and illegal. We know the hare is a solitary creature yet, in this netting process, it is brought into confined space with a lot of other hares.

Many other countries have banned live hare coursing and have turned to drag coursing. Why is that not even being considered? There is an animal welfare issue regarding to the hare, which is an iconic animal in Irish culture and mythology.

How many coursing meetings does the ICC test at? Is testing done at only certain meetings? Is it all random? Are they announced or unannounced?

The fines are meagre compared to the prize money. How many owners were suspended? How much was collected in fines?

I am bemused that if the greyhound tests positive, it is suspended. The greyhound is not responsible for taking the drugs. Why is the owner not suspended during the testing process?

Is Mr. Histon saying that the Whiddy Island trapping was legal because it was an associative club? There is very clear evidence of the injuries, mauling and tossing of hares, but it seems that is fine.

Mr. D.J. Histon: I did not-----

Deputy Maureen O’Sullivan: There are greyhound owners who do not want their greyhounds to course yet they must pay a fee to the coursing club. These are people who do not agree with coursing and do not want it to happen. I do not know why Mr. Histon is comparing beagles and harriers to greyhounds. That does not make sense.

Deputy Martin Kenny: I thank Mr. Histon for his presentation. I return to the “RTÉ Investigates” programme. His referred to traceability and he said that the ICC “wants to put in place a better traceability system which will be linked on an all-island basis and also with the Greyhound Board of Great Britain”. An issue that featured in the programme was dogs without ears, where they had been cut off the dog. If a large volume of blood testing is ongoing and the tests are being sent away, is it possible that tracing be done there to match samples with microchips? Can that be done when the dog is microchipped in order that one could be sure where a

dog comes from and which dog it is, especially if people will resort to such a barbaric way of camouflaging traceability?

On exporting, the dogs on the programme were shown as being in other countries and were advertised yet were still owned by people here. What sanction, if any, is available for people in that position? Has this been investigated by the coursing club?

Regarding Whiddy Island, I am aware of similar happening elsewhere, where there is coursing, hunting or something else. Are officials from the ICC or any other club there to monitor that type of coursing?

Mr. Histon referred to tests, of which only 11 proved positive, and the associated penalties to protect the welfare of greyhounds and the integrity of greyhound coursing. It is peculiar that there would be such a low number of positive tests in the context of what we see in many of these programmes and the culture that I have come across reflects. I pick up a culture of acceptance of doping. It is seen to be okay and someone might get caught once in a while, but it is very seldom. Speaking to people on the ground who deal in the greyhound business and are out with their dogs, there is little regard for there being a firm hand of control being brought to them from any part of officialdom.

Mr. Histon also mentioned the rehoming of greyhounds, which brings us back to the destruction of dogs that are not running or are no longer able to run. We have seen how they are brought to the knackeries and so on. Is there any sanction for this? I spoke to a woman on the phone recently. They were trying to get a SNA in a school for a child who has autism and they have been told there is no money for that. She put it to me that the greyhound industry is getting €12 million. I understand the concept of the State giving seed money to an industry or sector of society to develop, but when we consider the amount the State is putting into greyhound racing, and we see the kind of carry on in the context of the many problems for so many other sectors of society, it does not add up and it never has. I have felt for years that the greyhound sector is getting far too much money from the State. This has shone a light on it and, hopefully, we will come to a point where the Government will sit up and conclude that it is no longer sustainable. It is no longer sustainable that the greyhound industry can be pumped with money at the same time as it is pumping the greyhounds full of all these illegal substances. Mr. Histon can deny it but it is happening. One might say that the dogs on the street know it but the greyhounds certainly know it because they are getting it all the time.

Senator Tim Lombard: I will be brief as it is very late. We have had two presentations, one from the ICC, which give some clarity on the programme. Traceability came up again, and it was probably the key issue discussed in both presentations, and the matter of how we can put in place a platform that would work with traceability from birth until the dog is put to sleep. That will probably be the key issue for the entire industry into the future, and how we can work in a process that covers Northern Ireland, Ireland and the UK. It must be based on all three or it will not work. When we return in September, we must discuss how to implement this and ensure that we have a policy that will work.

Two organisations have come before the committee to explain the issues and what they believe needs to be done on welfare, what should happen to dogs at the end of their lives on the track and so on. Something that was raised earlier is the illegal hunting element, to which Mr. Histon's opening statement refers on page 4. As a landowner, I witnessed it myself last winter. People came onto my land whom I did not want there. I did not know what they were doing and knew no more about it until they started digging up ditches. It was crazy stuff. The

illegal element is an important issue. It is unregulated and happening at all hours of the night and day. Some are lamping, putting up nets and God knows what else, without the permission of the landowner. It was mentioned earlier how fear is massive issue. There is great fear among landowners and rural dwellers where people are out lamping late at night or are hunting without permission, when we do not know what they are hunting or when or what they are at. That needs to be addressed.

We have discussed the tracks and coursings and the lack of regulation but this is illegal and bizarre. When we return in September, we should not simply examine how this issue has progressed but consider what we will do about this and how we will ensure that rural dwellers get some bit of security, especially on lamping. It is a massive issue in my part of the world at a particular time of the year, where there are big lights shining around the place. We do not know what they are doing. It is crazy. We need to take those issues forward. The report and presentation follow on from what we have heard today. I refer to issues involving welfare, end of racing life, where we need to move dogs and a fund to be put in place. They all need to be reconsidered in a few months. When the recess ends in September, we should examine what progress has been made on these matters.

Senator Paul Daly: Senator Lombard touched on traceability, which I wanted to raise. I will ask almost the same question I asked of the IGB. How does the ICC expect the matter to be worked out? What onus will be on owners to register or chip pups, and how can it be made a success? Knee-jerk reactions after the programme and so on are all good and fine, but there has to be traceability of greyhounds from birth to death, and everything in between.

I watched the programme. The coverage of the Whiddy Island event was disingenuous of RTÉ, in view of the true context we have heard during the meeting. The event was run by a registered coursing club and was regulated. Individuals were named and identified in the programme and it was portrayed in no uncertain terms as an illegal event. That was wrong and disingenuous of RTÉ. One can have one's opinion of coursing but that is a different argument. While I accept that some of the aspects that were highlighted needed to be highlighted, RTÉ cannot ride roughshod, identify people and portray them as attending or partaking in something illegal, given that it has been proven to us that it was far from an illegal event.

Mr. D.J. Histon: Deputy O'Sullivan asked why we do not have drag coursing. It is banned in other countries such as the UK, where the Department for Environment, Food and Rural Affairs conducted a report following the ban. It reported a severe decline in the hare population and a clear rise in hare poaching by non-coursing people, which sits at 36%. Banning coursing will do little for the hare and ignores the strong link between coursing and the conservation of the hare. Quercus University conducted a study that found there are 18 times more hares where there is coursing because of the coursing club working with landowners and farmers on habitat protection and so on, as well as reporting and preventing illegal hunting.

Deputy O'Sullivan also asked whether testing was random or targeted and where it takes place. Testing takes place at all park coursing meetings. After the finals are run, all dogs engaged in the finals must remain on the premises and a draw is made in public by two officials, which can be observed by any member of the public. The winners of two events are tested. We use the Berlinger bottle, which is the Olympic standard for taking samples. We provide A and B samples and give a copy of the testing details form to the owner. The samples are analysed by LGC, one of the top five laboratories in the world in respect of accreditation. Following a hearing, the person responsible is fined and suspensions are meted out. The Deputy suggested our fines are meagre but they are more substantial than those of any other racing jurisdiction in

the world. We examined every jurisdiction when we put together the rule because we want to promote compliance and ensure we deter people from using prohibited substances.

Deputy O'Sullivan asked about suspending the owner. In the event of someone coming before the committee a second time, he or she has to appear before the committee and cannot just pay the fine. We can also seek an exclusion at the time as part of the penalty, although that has not yet happened because such a scenario has not developed.

On the incident at Whiddy Island, Deputy O'Sullivan stated hares were mauled and tossed but I did not see that on the programme.

Deputy Maureen O'Sullivan: I did.

Mr. D.J. Histon: I did not see it but we can agree to disagree in that regard.

Deputy Maureen O'Sullivan: It was very clear.

Mr. D.J. Histon: The Deputy asked why I mentioned beagles and harriers. The open seasons order permits coursing, hunting the hare with packs of beagles or harriers, or shooting the hare.

Deputy Maureen O'Sullivan: I also sought clarification about the amount collected in fines and how many owners have breached the rules. Is the testing for banned substances carried out only at the finals?

Mr. D.J. Histon: The Deputy also mentioned significant prize money but prize money in coursing is not significant. The highest value event at a park meeting for a trial stake is €1,000, while for the all-age event, it may be €2,000. While it is true that the winner's prize money is significant at Clonmel stadium, there is a higher rate of testing, with all dogs on the final day being tested, and there is random testing on the first and second days. The same is true for the Irish Cup.

Deputy Maureen O'Sullivan: Does the ICC test at other coursing meetings?

Mr. D.J. Histon: Yes, at all other provincial meetings. If a person does not pay the fine, he or she is put on a forfeit list, cannot attend a coursing meeting and cannot register or transfer a dog. He or she is effectively excluded from the industry until the fine is paid.

Deputy Maureen O'Sullivan: Mr. Histon has not acknowledged the cruelty to hares. It is almost as though he is saying there should be licensed cruelty to prevent unlicensed cruelty. Cruelty is cruelty.

Mr. D.J. Histon: I differ with the Deputy in that regard. She mentioned netting the hare, which is a century-old way of capturing any animal and is the safest way to do it. There is not much point in capturing an animal if it will be injured, given that it would not be of value for an event.

Deputy Maureen O'Sullivan: The animal can just be injured in the race.

Mr. D.J. Histon: It is a condition of the licence that injured or nursing hares are not taken up. Hares are examined before they are returned to the hare park. Hare parks are arranged to mirror what happens in the wild and they are not small areas where hares are confined. Hares are given access to a coursing field. The hare welfare code of practice outlines the various

stages involved in managing the hare and we must comply with 26 conditions attached to the licence. We also have meetings with the NPWS.

On cruelty, the hare is one of the most prolific prey species in the world. It can be found in any terrain or territory, from the tundra to the desert. Coursing does not present it with anything it is not familiar with. Due to its genetic make-up, it can turn at right angles in one stride. It has stereophonic hearing and 360° vision and can swim a mile voluntarily. It has tremendous stamina, speed and agility. Its ability to adapt is one of the reasons it remains prevalent today, despite changes in farming methods and land structures over time and so on.

Chairman: What is the total amount of fines collected?

Mr. D.J. Histon: Three fines are outstanding and the people responsible are on the forfeit list. All other fines have been paid. The most recent fine is being paid in instalments, which we allow. In the event of a default, one is automatically put on the forfeit list.

Chairman: What were the total fines for 2018?

Mr. D.J. Histon: I do not have the detail to hand. The most significant fine was €5,000, the lowest was €2,000 and there was also a fine of €4,000. It was in that range. As I said, one will not find such fines in any other jurisdiction.

Deputy Martin Kenny asked about traceability, ears being cut off and so on. There are not many such cases, although that is no excuse, and they happened prior to the introduction of microchipping. All dogs are now tattooed and microchipped at the same time. We also obtain the DNA of the dam and the stud sire. In the event of a blood analysis, therefore, a DNA check can be done at Wetherby Racecourse, where all the information is stored.

I touched on the export of dogs. Work with the GBGB commenced before the “Prime Time” programme aired. The Welfare of Greyhounds Act 2011 obligates an owner and a buyer to notify the stud book of changes of ownership and so on. In these cases, however, the dogs go to the UK in the first instance. We have seen that certain dogs can end up in Pakistan as well. As to how we can close that loop, Deputy O’Sullivan said that where there is a will, there is a way. I know that the Attorney General has said that one cannot stop dogs being exported to countries which the Deputy thinks do not have proper welfare standards.

Deputy Maureen O’Sullivan: I know they do not.

Mr. D.J. Histon: This is why we are looking for a way around that, or certainly to make it more complicated and add some layers of bureaucracy to prevent dogs from going to countries such as China, etc. We are to meet the GBGB on 24 July. The meeting will touch on other topics, not just this issue. The IGB has indicated that it will attend the meeting as well, so the three bodies involved in the industry will be present. When this is brought in, the GBGB and we in the ICC will say that any owner must register as an owner before he or she can even buy a greyhound. At present one does not have to do that. One can buy a greyhound and register afterwards. We want to reverse that such that the owner is given a specific number and every greyhound he or she owns will be attached to that number. That will be part of the traceability. We will ask the GBGB to do the same thing in order that when a dog is sold to the UK we at least have the identity number of the person in the UK. That way we can then notify the UK that the dog has gone from us to the UK. If the dog then happens to end up on Facebook as being involved in illegal activity or whatever Deputy Cahill said, the GBGB can go to that owner, ask where the dog is and exclude that person from the industry over there. The GBGB is not a

semi-state body. It is a limited company.

Deputy O'Sullivan mentioned funding. To be clear, the ICC does not receive any Government funding. We are self-funding.

Deputy O'Sullivan spoke about people being forced to register their dogs even though they are against coursing. However, they register their dogs with the Irish greyhound stud book, which is an all-Ireland stud book, and have been doing so since 1923. I personally have never received one letter from anybody objecting to registration with the Irish greyhound stud book. I am not disputing what the Deputy says. I am just sharing with her my experience.

Deputy O'Sullivan said the number of detections of illegal substances was low. I cannot comment on that except to say we test the dogs and the samples are sent to one of the top five labs in the world - they have an extra accreditation of 63 labs in the world - so if those labs cannot find an illegal substance, I do not know who will. We have done an awful lot on testing. We bring in amendments if we see loopholes. We have done so every year. As I said, even this coming year we will put an amendment before the AGM to the effect that if a dog is found to test positive and the owner is in breach of rule 88, the dog is no longer allowed to run in a classic, that is, in the big events. This is a serious deterrent. It is like saying a dog on the track cannot run in the Oaks, the Derby, the Laurels or any of the other big events. It is about deterring. It is also about acknowledging the people who play the game straight, for want of a better phrase, because there is a balance to be struck there as well.

Regarding euthanasia and knackeries, we do not regulate knackeries and cannot prosecute in that regard. As the chairman of the IGB indicated, however, under the Greyhound Racing Act 2019, which has just come in, the Government will introduce a statutory instrument whereby a greyhound must be put down by a vet. One cannot bring the dog to any other person, only a vet. That will be statutory legislation, so it will be a criminal act to euthanise a dog under any other method. As part of the traceability, which the UK has as well, that vet must sign a form and that form must come back into the traceability system. That is then updated on the system as well. I think they were the main points Deputy O'Sullivan raised.

I do not think Senator Lombard asked a specific question but he touched on traceability. Again, the only way we can have traceability is if the ICC, the IGB and the GBGB are involved. It is one greyhound system. Many of our dogs go over to the UK. Some come back here for breeding and go back again. Our organisations depend on one another to survive, so the only way forward is to work together.

I firmly believe that illegal hunting is a huge issue. As I said, the president of the Irish Coursing Club and I met the IFA, the Garda, the NPWS and the ISPCA. Someone spoke about the ISPCA seizing dogs. Unfortunately, if one seizes a dog, the dog must be held, there is a cost to that for the ISPCA, and then, when the court case takes place, the dog might be handed back again. It is not straightforward. Perhaps this is where legislation needs to be changed as well to make it easier to seize dogs without having that cost factor. It is a rampant problem. It has improved, I think, because the Garda, in conjunction with the NPWS, has held a number of seminars around the country to educate gardaí on wildlife legislation. These meetings are ongoing, and we will also attend them to make the distinction between what is illegal and what is legal.

Senator Paul Daly was the final speaker. The way I see traceability working is that everything is captured at puppy stage but that we do not then wait until the dog is 12 months of

age, and instead that it is examined again at six months of age. The dog must be named at six months of age, so now we have puppy stage and an examination at six months of age. If there is a gap there, we know about it then and do not leave it until the dog is 12 months old. At 12 months I suggest that one must register as to whether one wants the dog to go coursing or track racing. One must nominate. Then the dog goes on the system. When the owner is finished racing, he or she either retires to breed, keeps the dog as a pet or rehomes it. If it is not suitable for rehoming - realistically, not every dog will be - the vet must euthanise that greyhound. The idea is to create as many rehoming opportunities as possible to make it as easy as possible for every owner to avail of that facility. That is where the focus should be. There was mention of ring-fencing moneys for the fund. There was also mention of levies at registration stage, which is where we come in, and we will certainly play our part in that. People involved in coursing will also be more than happy to play their part in it because it is our industry. Ultimately, the greyhound owner is responsible, but we are accountable in policing the sector, and that is why we are here today. I believe traceability will bring accountability.

I hope that when we come back here in September, we will be able to update the committee on the changes we have discussed today, the timelines, what can be achieved, and public confidence, which is the reason we have been brought before the committee. We must try to restore public confidence and bring back our sponsors, which I think will happen. That would be a better place to be. The industries in England and Australia have gone through similar changes but have come out the other side. This happens in a lot of industries. It is now, unfortunately, our chance to do this, and we must take it on for the decent greyhound people out there who get up at 6 a.m. and go to bed at 10 p.m. or 11 p.m. and love their greyhounds. It is our job to represent them and to do the best job possible for them. I have been in the greyhound industry since I was five years of age. I have worked in the industry since I was 18. The word “passionate” is often used by greyhound people, and I know it slips off the tongue nice and easy, but there are passionate greyhound people out there, and they are the people we represent. We do want to exclude people such as those Deputy O’Sullivan has mentioned. I have no qualms in doing so and I know that the executive committee of the Irish Coursing Club has no qualms in doing so. Therefore, I think the committee will see changes on that front as well. The changes are all needed.

Deputy Maureen O’Sullivan: I have a very quick comment that follows on from what Mr. Histon said. He did refer to the illegal activity, and we know it goes on. My point is that it is not just one set of people carrying out the illegal activity and a totally different group doing the legal coursing. There must be a crossover-----

Deputy Jackie Cahill: No, there is not.

Deputy Maureen O’Sullivan: -----so I want to know what happens. Those taking part in the illegal activity are just doing so because they can. The greyhounds are not muzzled so they can carry on and do what they like with the hares, and we know that the bleeding of greyhounds goes on, so there must be some crossover. Mr Histon says the ICC is working with the Garda and the National Parks and Wildlife Service on this. It would be good to see the ICC ban people from the club because they are doing this.

Mr. D.J. Histon: I thank the Deputy for her question. Illegal hunting is completely separate from legal hare coursing. The people involved in illegal hunting are not involved in coursing. The people involved in coursing are the ones reporting illegal hunting, preventing it and working with the NPWS and the Garda to protect the preserves where the hares reside to ensure that coursing can take place yearly. If anybody involved in coursing is involved in illegal hunting,

they should absolutely be debarred from the club. I am not aware of anyone being involved in this way. If they were, I would have heard by now because our people would report them immediately. These are therefore two completely separate activities. This is a point one does not hear about in the media, unfortunately, and one that is very seldom raised by Deputies in the Dáil. That is disappointing, given that we are talking about hares, which are a protected species that can only be hunted under specific licences and legislation, such as the open seasons order. I think that is the point the Deputy was making.

Chairman: I thank members and I thank Mr. Histon for his contribution and patience. It has been a long day for members in particular, as we started at 3.30 p.m. and it is now 10.30 p.m. We have done much good work. We will invite both the IGB and the ICC to appear again before the committee when we return in the autumn. However, some of the issues that came up in the “Prime Time Investigates” programme, such as the licensing and control of knackeries, do not come under the remit of either organisation. It might be useful, therefore, to invite departmental officials who deal with those matters to come before this committee again. Ironically, they were here discussing horse-related matters only a few weeks ago. They may have a part to play in this as we go forward, because some questions remain unanswered. With members’ consent, we will invite them here in September as a follow-up to this, and will invite both the ICC and the IGB in later this year as well.

The joint committee adjourned at 10.32 p.m. until 3.30 p.m. on Tuesday, 24 September 2019.