

## PROPOSED SPECIAL PROTECTION ORDER FOR THE IRISH HARE

### SUMMARY OF KEY POINTS RELATING TO:

- wording, specifically exclusion of the term possession
- potential issues surrounding movements of Irish Hares from Scotland and/or Ireland

Capture of Irish Hares in the Republic of Ireland for coursing is allowed under annual licences issued by National Parks & Wildlife (NPWS).

30-40 licences are issued annually to these clubs.

Following alleged cross-border movement of hares (after the Special Protection Order (SPO) was imposed), NPWS introduced a clause, as a condition of the licence that hares caught could not leave the jurisdiction.

The penalty for such a breach is administrative - licences would not be re-issued to any club found in breach; this would be a significant penalty for an individual club.

The most likely explanation for the absence of "possession" from the SPO is because it is not provided for in the legislation. Under Sect. 7c of the Game Preservation Order 1928 the Minister may "*by order prohibit the killing or taking, or the sale or purchase, of game of any kind prescribed by the order, during such period not exceeding one year as shall be so prescribed.*" Changing this would require a modification to the Act.

It is unclear where the burden of proof lies if anyone was caught in possession as to where they originated. This would be impossible unless the party caught had to prove their origin. If this source was identified and was a licensed coursing club they would face action as specified above. It is likely that the burden of proof would lie with the prosecution.

Irish Hares are endemic so they could not be imported from Scotland.