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Prof Jane Stout
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Review of the National Parks and Wildlife Service (NPWS)

Dear Prof Stout and Dr Ó Cinnéide,

The Irish Wildlife Trust (IWT) is a national, charitable, membership-based organisation which was established in 1979. Our goal is to raise awareness of our natural heritage and its benefits to people. We would like to make a submission for your consideration at part of the review of the NPWS.

Background

Ireland (and indeed the world in general) is in the midst of a two-pronged ecological emergency comprising a biodiversity crisis and a climate crisis. This was formally recognised by the Dáil in May of 2019. While the climate crisis is at least acknowledged in the public sphere, the biodiversity crisis is less well known.

Nevertheless, biodiversity is vanishing from across our land and sea at an unprecedented rate. Evidence for this can be found in a series of ‘red list’ reports from the NPWS which have found that across all groups of species analysed an average of one third of our native plants and animals are threatened with extinction or ‘near threatened’. A number of species are either already extinct or their disappearance is imminent, such as the curlew, the angel shark and the freshwater pearl mussel.

The extinction crisis represents a haemorrhaging of our nation’s heritage as well as undermining some of our most important commercial sectors, most notably fishing, agriculture, tourism and forestry. It comes to the detriment of our physical and mental well-being, something that has become evident during the Covid-19 crisis, with limited access and/or poor quality natural spaces within people’s 5km.

There is nothing inevitable or predetermined about the collapse of nature; it is a result of high-level policy decisions made by successive governments in the absence of any meaningful public debate.

This was recently highlighted by the Biodiversity Forum¹ which concluded that “The biggest transgressor of environmental law in Ireland is the State. Non-compliance is rife at all levels of society, from Government non-compliance with EU laws down to local wildlife crime by individuals.”

It is also notable that key commercial sectors are not in compliance with environmental law, including fishing, forestry, peat extraction and agriculture.

Ireland has a mountain to climb if we are to restore healthy ecosystems and wildlife populations. The review of the NPWS is central to this task. In fact, it is our view that addressing the multiple environmental crises we face is not possible without a fully-functioning, forward-looking and properly resourced nature conservation agency.

Some background and current situation

The NPWS, as it stands, has many fine people, frequently highly qualified, and who are willing to go above and beyond their duties to protect nature. However, it must be recognised that it is failing in even its basic duties as defined in the Terms of Reference document:

To conserve, protect, manage and present our built and natural heritage for its intrinsic value and as an inspiration to creativity and environmental appreciation as well as a support to local communities, regional economic development and sustainable employment

1. Responsibilities

In July 2010 Grant Thornton auditors conducted an ‘organisational review’ of the NPWS². It noted that

The current structure whereby the NPWS is managed on a day-to-day basis by three Principal Officers, with part time involvement from an Assistant Secretary from within the Department, does not provide a sufficient top level management for an organisation with as important a role and scale of resources as the NPWS.

And that:

There are views that within the current structure there is scope to avoid accountability within management who may be more inclined to pass decisions up or down the line rather than using their own initiative and taking the responsibility

It recommended that a single Chief Executive Officer be appointed to overcome this, however this has not been acted on. The lack of a leadership role for the NPWS has led to drift, a lack of direction or purpose and an avoidance of responsibility.

¹ www.biodiversityimpact.ie

² Grant Thornton. Department of the Environment, Heritage and Local Government Organisational Review of the National Parks and Wildlife Service (NPWS). July 2010.

The Grant Thornton report highlighted then how Ireland was failing to implement key EU directives and failing to produce the required research and management measures for important wildlife sites as well as wildlife in the wider countryside.

To this day, it is not clear what responsibility the NPWS has in designing and implementing conservation measures for habitats and species in Ireland. Lead responsibility for some of the principle EU directives falls within different departments but there is always a degree of overlap (e.g. between the Water Framework Directive and the Habitats Directive) and the lack of clear lines of responsibility for certain tasks is contributing to the loss of biodiversity.

In an instance where a wildlife crime may have occurred, e.g. where a Special Area of Conservation has been damaged, it is not clear what – if any – power the NPWS has to investigate, prosecute or enforce restoration measures. This is especially the case where another arm of the State has been responsible for the damage.

2. Resourcing

The most recent figures available indicate that the NPWS was in receipt of just over €13 million in 2019. For comparison purposes, and perhaps reflecting the priority given to our natural heritage over other interests, the Greyhound Racing Bord received €16 million of public money in 2017 while Horse Racing Ireland got its hands on a massive €64 million. Indeed the funding to NPWS is dwarfed by the nearly €41 million given to An Bord Bia, the agency which markets Irish food and drink throughout the world as ‘green’ and ‘sustainable’.

The poor resourcing of the NPWS is well documented. It suffered a 70% budget cut in non-staff costs after the economic crash and consequently, a lost decade in terms of addressing our biodiversity crisis. Despite some (welcome) restoration of this budget in 2020 it is likely that significant additional investment will be required.

Key scientific posts have remained unfilled while whole counties have gone without a dedicated wildlife ranger, in some cases for years. Funding for research projects which has been made available has typically been outsourced to consultants, resulting in an erosion of in-house expertise.

The lack of resourcing, coupled with increasing pressure to comply with the nature directives, has led to neglect of wildlife conservation initiatives that are not directly related to the Natura 2000 network (Special Areas of Conservation or Special Protection Areas). There is no sense that the NPWS is pro-active in dealing with emerging challenges, leaving other organisations to fill the gap, particularly the non-governmental organisations (NGOs) but also the National Biodiversity Data Centre, for instance (see the All-Ireland Pollinator Plan).

In combination, the lack of resources, leadership and accountability has led to the decline and neglect of even our most treasured wildlife sites, such as our National Parks and Nature Reserves, not one of which has a current management plan.

3. Enforcement

As noted above, the lack of clear lines of responsibility, monitoring and authority is leading to continued deterioration of species and habitats, even in ‘protected’ areas.

For instance, it is not clear what authority the NPWS has in preventing on-going turf-cutting on Special Areas of Conservations which have been designated for ‘priority’ raised bog habitats.

Ireland also has a serious issue in relation to wildlife crime by non-state actors. Although, by its very nature, this is hard to fully quantify, it was highlighted by a 2020 report³ into the illegal persecution of raptors. The report highlighted 119 illegal incidents between 2007 and 2019 including poisoning, trapping and shooting of birds. It highlighted the uneven geographic spread of incidents with a higher than average number of incidents in the east of the country, and only one incident in Co. Longford for the 12 year period. However, in total, a mere seven prosecutions were pursued for illegal persecution of birds.

It is not reasonable to believe that wildlife crime is confined to one part of the country and so the question arises as to why some areas of the country have less reporting of these incidents than other, and why so few prosecutions are being taken.

4. Communication and Education

The NPWS produces very good quality reports and scientific data and of particular note are the Article 17 reports to the EU Commission and the report to the Convention on Biological Diversity.

However, these reports are not communicated effectively. It does not seem that the NPWS has a communication strategy. It is rare that these publications are followed up with media interviews while the presence of the NPWS on social media platforms is negligible. At a time when nature is in such crisis, its chief guardians are silent.

Prior to the economic crash, the NPWS had an education unit with active centres (e.g. at the Knocksink Nature Reserve in Co. Wicklow) however this no longer seems to be the case. It does not appear that the NPWS maintains any coherent educational programme, something that is a core challenge in addressing the biodiversity crisis.

5. Marine

It is understood that the Marine Unit of the NPWS is staffed by a mere three people. This is entirely inadequate for the challenge ahead and a woeful reflection on our regard for the sea, especially as we are an island nation. There is no red list of threatened species for marine invertebrates or marine fish (other than sharks and

³ O’Donoghue, B.G., Casey, M.J., Malone, E., Carey, J.G.J, Clarke, D. & Conroy, K. (2020) Recording and Addressing Persecution and Threats to Our Raptors (RAPTOR): a review of incidents 2007–2019. Irish Wildlife Manuals, No. 126. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland

rays). Deterioration of high-value habitats within Special Areas of Conservation is on-going⁴.

5. Political Support

Many of the issues detailed above stem from a lack of political support which has been an on-going feature of nature conservation in Ireland. The protection of wildlife was transferred from the Department of Lands to the Office of Public Works (OPW) in 1987. In 1992 the NPWS was formed within the OPW (itself a function of the Department of Finance). In 1996, it was transferred to the Department of Arts, Culture and the Gaeltacht and in 1997 became Dúchas. In 2003, Dúchas was disbanded and its nature conservation function transferred to the Department of Environment, Heritage and Local Government. In 2011 it was transferred to the Department of Arts, Heritage and the Gaeltacht and most recently, in 2020, it changed department yet again, this time to the Department of Housing, Local Government and Heritage.

The NPWS has not had a single ten-year period under one department while within these stints, it has been the responsibility of a number of ministers who have shown varying levels of commitment to biodiversity issues.

The itinerant nature of the NPWS, the constant changes in leadership, branding and identity and physical location, has been enormously damaging to staff morale. The feeling is that the NPWS is not wanted or valued while general elections create a landscape of volatility, not knowing whether another move is on the cards, or whether the new minister will have any knowledge or interest in their function.

The biodiversity crisis can only be addressed when the issue becomes an ‘all of government’ priority. The abilities of any nature conservation body are therefore limited by how it is viewed by the government of the day. Nevertheless, the low prioritisation of nature conservation, coupled with a lack of leadership and status of the NPWS itself, has led us to the current situation where our ability to address the biodiversity crisis is chronically debilitated.

Our ability to meet even minimum standards of legal compliance is so compromised that we cannot lift our eyes to see the enormous opportunities which could be realised were we to restore nature to our lives and to our landscapes.

6. Development applications

The Development Applications Unit (DAU) of the Department deals with nature conservation observations for development applications and forward planning. The Department is a statutory consultee in this regard. There is no analysis we are aware of which examines the rate of responses to submissions to the DAU or the quality of these responses. There is an impression however that rates of response are low and that there is great variability in geographic spread, i.e. there are some areas where

⁴ Classen, R (2020). Marine Protected Areas – Restoring Ireland’s Ocean Wildlife II. Report on Ireland’s Failure to Protect Marine Natura 2000 Sites. Irish Wildlife Trust.

responses from the NPWS to development applications are virtually nil. As a result, a key function of the NPWS is not being adequately fulfilled.

Solutions/the Future

1. Structure

The IWT believes that Ireland needs a new, independent nature conservation agency, along the lines of the Environmental Protection Agency (EPA), that will allow it to rebuild and provide the necessary leadership to address our biodiversity crisis.

The history of the NPWS and its predecessors shows how political neglect, structures designed to avoid responsibility and decision-making and the need to serve an ever-shifting department and/or minister, is a formula for disaster. A continuance of this model is no longer tenable. Only by giving a new nature conservation agency independence will we see progress.

The EPA shows how a state agency, under the right leadership, can give voice to environmental issues, communicating data and research to a wider public, while setting a bar for other government bodies and economic sectors and enforcing relevant legislation.

With independence must come accountability. Any new nature conservation agency must be answerable to the Oireachtas and this must be measured against a clearly defined reporting function.

The highest level policy document in this field is the National Biodiversity Action Plan and a nature conservation agency with clear responsibility for leading on the implementation of this plan should be required to report on progress in this task at least annually.

2. Resourcing

A report published early in 2018 from University College Dublin and the NPWS analysed national expenditure on biodiversity⁵. This landmark study found that direct spending on biodiversity, over the six-year period from 2010-2015, amounted to €1.49 billion, or €250 million per annum.

The report noted that 96% of the €1.49 billion total went on subsidies (80%), operational costs (10%) and staff (6%), leaving the remainder for actual work on the ground, while even the NPWS “is itself responsible for just 9% of total expenditure and has endured significant budget cuts in recent years”.

⁵ *A National Biodiversity Expenditure Review for Ireland*. 2018. R. Morrisson & C. Bullock. University College Dublin – Planning and Environmental Unit

It is clear that the NPWS is currently woefully underfunded, however the actual sum that is needed for a fully-functioning nature conservation agency has not been assessed. This should be addressed in the review of the NPWS with timelines for budget increases and a review mechanism to adjust this upwards as necessary.

3. Remit

Meeting minimum legal requirements of environmental law will require a great effort by all government departments. However, complying with the law is surely the bare minimum of what the public should expect, rather than the target of any nature restoration programme.

The coming decades will see great changes from climate collapse while the restoration of habitats and ecosystems must be a long-term endeavour. It will be filled with uncertainty while the results of interventions may take years, decades even, to be fully appreciable. It is why any new nature conservation agency must be ambitious in its scope, flexible in its approach and far-reaching in its actions.

It must produce science and advice based on that science in a timely manner. It must have a dedicated communications arm that can engage with the media, other arms of government and local communities. It must respond to requests for observations from planning authorities.

It must be pro-active and this must include a dedicated education unit to deliver the positive message that nature can deliver great rewards to us if nourished.

We must be able to envisage a new landscape for Ireland. This must include embracing the principles of rewilding to allow natural systems to become self-sustaining, even if that means giving nature a helping hand through alien invasive species removal or short-term land management.

There are approximately 120 species which are known to have gone extinct from Ireland since the arrival of humans. A new nature conservation agency should have a dedicated reintroductions unit to bring back as many of these species as possible in the short-term, and, where this is not possible, to examine the feasibility of longer-term initiatives, such as returning large predators to Ireland.

Ireland should embrace the aims of the EU's biodiversity strategy in setting a goal of protecting 30% of land and sea by 2030 with 10% 'strictly protected'. The programme for government has already committed to this 30% goal at sea, but this does not include a target for 'strict protection'.

On land, this should be done through the use of public lands (particularly Bord naMóna, Coillte and local authorities) and incentivising community groups and private landowners to establish and manage new nature reserves. Staff from a new nature conservation agency will be essential in providing data and support for this process.

A dedicated, and well-staffed, Marine Unit will be needed for the implementation of the government's aim to roll out Marine Protected Areas across 30% of our seas. This target could be increased to 50% if the calls of many scientists are heeded.

In summary, we are asking for a new nature conservation agency for Ireland that will be **independent, well-resourced and ambitious**.

We utterly depend upon nature for a stable climate, clean water, healthy food and liveable surroundings. We may well be the last generation to have the means to reverse the extinction and climate crises – this review of the NPWS affords a once-in-a-decade opportunity to begin this process. It is a decade that is set to transform our society – for good or for ill – and we must seize this opportunity. If not now, when?

Yours sincerely,

A handwritten signature in black ink that reads "Pádraic Fogarty". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Campaign Officer – Irish Wildlife Trust