



FREEDOM OF INFORMATION REQUEST



Request Number: F-2014-03405

Keyword: Organisational Information/Governance

Subject: Deer Killing On A Sunday

Request and Answer:

Question 1

The PSNI website in the section Animal Welfare and Wildlife Crime gives a link to an NIEA document entitled "The Wildlife Law and You in Northern Ireland".

<http://www.psni.police.uk/wildlifeandthelaw.pdf>

On page 10 of this document it states "Game Animals - Deer and hares are protected during the "closed season", however they may be hunted during part of the year. Deer and hares are classified as game and therefore they may not be hunted on Sundays or at night. Deer may only be shot using large-bore rifles and hares may only be hunted using firearms or dogs."

From my research there is nothing contained within the Game Preservation Act (Northern Ireland) 1928, Game Preservation (Amendment) Act (Northern Ireland) 2002 and/or Wildlife (Northern Ireland) Order 1985 that makes it illegal to kill deer on a Sunday.

As a result of the above I seek the following information from the PSNI:

Is it illegal to kill deer on a Sunday in Northern Ireland?

Question 2

If so please state the specific Section/Article of the relevant Act/Order that makes it illegal to do so.

Answers 1 and 2

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

PSNI have confirmed with Northern Ireland Environment Agency (NIEA) that the booklet Wildlife Law you refer to in your request is now outdated due to various legislation changes etc.

One of the corrections made was the reference to 'killing of deer on a Sunday', which was incorrect has now been amended. However, it is still an offence to kill deer during its close season or between the expiration of the first hour after sunset and the commencement of the last hour before sunrise.

The revised booklet has not yet published by the NIEA.

Question 3

Is deer classified/defined as game in Northern Ireland law?

Question 4

If so please state the specific Section/Article of the relevant Act/Order that classifies/defines deer as game in Northern Ireland law.

Answers 3 and 4

The Freedom of Information Act 2000 legislates for the rights of an individual to seek information held by a Public Authority. This information refers to recorded information in any format and capable of recovery in any form. As question three does not require the extraction and retrieval of recorded information, (simply yes/no answer) this would not be a valid question as defined by the Act, however to assist I can advise that Deer are protected in its own right under Wildlife (NI) Order 1985 Part 111.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.