

Dog Breeding Establishments Bill 2009: Committee Stage. ^

10th February 2010

Senator David Norris: This is a glorious opportunity to sow political dissension and my colleagues on this side of the House have exploited it very cleverly. I am sure they are also motivated by principle and while it would be a very pleasant sight for some on this side to see a degree of disagreement between the Green Party - in particular, the Minister for the Environment, Heritage and Local Government, Deputy John Gormley - and Fianna Fáil, that is not what the issue should be about.

With regard to the pet shop issue raised by Senator McFadden, I am delighted to hear there is a pet shop in Athlone and that the animals are well looked after. However, I would translate it into an invitation to the Minister to regulate pet shops also, not in this legislation but it should be-----

Senator Nicky McFadden: We do not have dogs in our pet shop.

Senator David Norris: I thought the Senator said the dogs there were as well looked after-----

Senator Nicky McFadden: No, I said the hunting fraternity-----

Senator Camillus Glynn: It is a pet shop without dogs.

Senator Nicky McFadden: I am familiar with the hunting fraternity.

Senator David Norris: What did the pet shop have to do with anything?

Senator Nicky McFadden: We own it.

Senator David Norris: I see. I am sure animals are well looked after in the shop. Some pet shops do keep dogs. The question of exotic pets and their uncontrolled importation should also be examined.

Senator Nicky McFadden: Hear, hear.

Senator David Norris: I have a position on hunting, as I am against blood sports in general. I was interested to hear my colleague, Senator Mullen, drag in the issue of abortion, which seemed a little extraneous.

Senator Rónán Mullen: A passing reference.

Senator David Norris: It would be like me asking about the welfare of homosexual dogs in these various places. I share elements of his position. I certainly believe there is a hierarchy and that it is appropriate that as a species we look after ourselves. However, we should recognise our close genetic kinship

with animals and our responsibilities for them. There is no contradiction whatsoever in my position which is completely consistent of accepting the idea of choice in respect of abortion, another matter for debate.

Senator Rónán Mullen: We can deal with the Senator's failure of logic another time.

Senator David Norris: I am sure the Senator will attempt to address what he sees as my failure of logic but this is the Upper House of the Oireachtas, not the debating chamber in which, I read in *The Irish Times*, he did extraordinarily well as an undergraduate.

Senator Rónán Mullen: I thank the Senator.

Senator David Norris: There is an argument that hunting is as humane as and as much in concert with the realities of life in the wild for it to occur as a culling mechanism. If it is a choice between the hunt, with its long traditions in the country and so long as it is at least humanely controlled, and the process of gassing, shooting or trapping foxes in a cull when they become regarded as vermin, it is better to go the natural way. My uncle was very keen on hunting. He was an Irishman who lived in England for quite a while. He lived in Rutland, the location of all the great hunts, namely, the Quorn, the Pytchley, the Belvoir and the Cottesmore. A friend of his, a very wealthy man, was master of the

Cottesmore hunt. Many poor people on the streets of our cities would be delighted to be treated in the luxurious style in which those hounds were treated. They will look after their animals very well but why would they not? It is perfectly natural. However, it seems to be an argument against themselves. If they are so wonderful, they should be quite happy to submit to this test.

The DSPCA produced an extremely fine set of regulations which I hope will be administered under this legislation. It has requirements on hygiene, spatial requirements per dog and deals with the construction of kennels. However sophisticated and well heeled members of the hunt are, they are not beyond learning something from other aspects of animal welfare. Perhaps a little humility would do them no harm.

I am aware the Minister provided certain assurances in writing. I learned today that the Minister for Education and Science, Deputy Batt O'Keeffe, did the same a few weeks ago. It is perfectly legitimate for a Minister or a Member to change his or her mind on the basis of the weight of evidence. It would be useful in terms of advancing the debate if the Minister for the Environment, Heritage and Local Government explained his reasons for reviewing the situation and deciding against honouring his commitment.

With regard to fox hunters being upset by the pamphlets to which Senator Cummins referred, this has been a tradition in Irish life for many years. Seán Ó Faoláin wrote a wonderful story about a group of right-wing, reactionary moralists who objected to a performance in Cork of the Russian ballet. They formed themselves into the sodality of St. Mark and carried placards proclaiming: "Men

of St. Mark, we have you marked." All the local dignitaries were terrified to attend the ballet as a result.

Senator Rónán Mullen: An early version of "Down with that kind of thing".

Senator David Norris: I imagine those involved in fox hunting are made of sterner stuff. All of us have received obnoxious material through the post. My distinguished colleague, Senator Cummins, read out a very unpleasant message and I certainly do not approve of such behaviour. The Animal Liberation Front is basically an English movement which has carried out some horrible and inexcusable terrorist escapades which do no good to the cause of animal rights.

Senator Rónán Mullen: Hear, hear.

Senator David Norris: However, it is a marginal element in Irish society and I am not aware that it has done much, other than picketing Barnardo Furriers at the bottom of Grafton Street. I imagine the sort of pamphlet described by Senator Cummins would cause more concern among shop assistants than among the hardy members of the hunt fraternity, many of whom are well known to me. I assure Senators they would give not only a verbal but probably also a physical response. I would consider such pamphlets as a *prima facie* case for a criminal prosecution for threatening behaviour. The police could therefore become involved. However, I do not think it appropriate to legislate on the basis

of the activities of an isolated, tiny and unrepresentative group which is already subject to other areas of the law. I will be supporting the Government on this amendment because the provision as it stands is appropriate.

There is a certain snobbery in saying everybody else should be regulated but we should not because we are independently regulating ourselves. I follow the principle that independent regulation should always apply. I have argued for independent regulation in regard to newspapers, the medical and legal professions and every other area potentially subject to supervisory authority. I accept that most kennels attached to hunts are well maintained, accord a high priority to animal welfare and even come to love their animals but that is not a reason for exempting them.

An Leas-Chathaoirleach: Chur tú suas do paw, Senator Mullens.

Senator Rónán Mullen: I find myself in almost complete agreement with Senator Norris, who would be advised to examine his conscience.

Senator David Norris: I think so.

Senator David Norris: I would like to clarify that when I spoke about a minority, I was referring to the Animal Liberation Front and not any group lobbying-----

Senator Paudie Coffey: It is influencing legislation.

Senator David Norris: I am not sure whether minorities or majorities were lobbying. I was lobbied by both sides. To a certain extent, I am supporting the Government against my own interest because I have been heavily briefed by opponents of the legislation, including in a rather interesting and intelligent letter from a constituent of mine, a Trinity graduate, who says he is very concerned about the impact that the Green Party is having on Government policy. It is perfectly legitimate for its members to have such an impact as there would not be much point in them being in Government if they did not. It is a measure of a civilised coalition when the parties listen to each other. That does not bother me but my constituent raised some interesting points. He states: "This piece of legislation is attempting to categorise hunt kennels under the same legislation as commercial breeding kennels."-----

An Leas-Chathaoirleach: We are on amendment No. 1.

Senator David Norris: I am well aware of that and this point is directly relevant. He continues:

Hunt kennels are very different, they are run on a not for profit basis, [I am sure the Chair can see now this is directly relevant] any hounds that are given to other clubs nationwide are gifted or drafted to other clubs and no money is exchanged. Similar legislation was put in place in various parts of the UK, including N Ireland, and all registered hunt clubs were exempt from this bill.

I was not aware of this previously and presumably there is a need for a wider explanation to be given in this area. My constituent has illustrated in the final line of this paragraph the reason for the shrill chorus of opposition because he is concerned that the Green Party is attempting to ban hunting through the back door. That is not what is happening, particularly in this Bill, but that is the fear. This fear, rather than any logical resistance to kennels being brought under the legislation, is what is at the back of this. There is an anxiety that this is the wedge in the door, which will lead to the banning of all forms of hunting. There are different views in the House on that but that is a matter for another day. I thought it would be honourable and appropriate to put this informed view by one of my constituents on the record, although that is another vote down the drain because I will vote with the Government.

Senator Feargal Quinn: I declared my interest on Second Stage in that I was a member of the Ward Union Hunt 20 years ago and I have received requests from its members to make a case on their behalf. They make a strong case that the hunting lobby was consulted, including themselves, and they understood they had a commitment from the former Minister for the Environment, Heritage and Local Government, Deputy Roche, and the current Minister but they now understand they have been let down.

There is concern that names and addresses of members will be published but there is a virulent anti-hunting lobby which has, in the past, behaved in a

threatening and unacceptable manner and names should not be published on that basis.

The debate highlights that the Government should reconsider its proposal. Senator Norris is not enthusiastic about hunting but the issue raised by his constituent to which he referred is worthy of consideration. Kennels for hunt hounds were excluded in similar legislation in the UK and Northern Ireland. I can understand why the Government has included rather than excluded them but there is a difference between breeding dogs for hunting, which many may not approve of, and breeding puppies for sale, which is a serious problem, and that is why I support the general theme of the legislation.

There is a need for this legislation but it must go through in a way that is accepted. Anti-hunting legislation is likely to be introduced because the Green Party is determined to do so. Subsidiarity is a European Union concept. However, subsidiarity could be provided for in this legislation because decisions on such issues should be made at local level and individual county councils could make a decision for their area. If the people of Dublin do not want hunting, then there will not be hunting in Dublin. I doubt if there will be anyway but if the people of Meath or Kildare say it is a rural tradition that they would like to maintain, the local authorities can decide to ensure that happens. Hunt clubs should be excluded from the legislation and, therefore, I support the amendment.