

# SUBMISSION

## Independent Review of Victorian Wildlife Act 1975

Thank you for the opportunity to make a submission. I am an ordinary Victorian speaking on behalf of my family. We care deeply about all animals, and we are shocked at the rate our indigenous animals are dying out and/or legally slaughtered. I have happy memories of growing up with a variety of plentiful wildlife on and around our farm. I now live in the city and admire the fruit bat colony at Yarra Bend, which is reviled by some residents and politicians. They are totally ignorant of the bats' vital pollinating role and their importance to urban biodiversity.

These and other creatures have nowhere left to go. So, the community must be educated about the benefits of wildlife for human quality of life and mental health. Sir David Attenborough has worked with scientist, Johan Rockstrom, on *Breaking boundaries: the science of our planet* - a documentary examining how degradation of Earth's biodiversity adversely affects human life. Human population growth (with its housing and infrastructure development, land clearing for agriculture, logging, mining, consumerism, etc) causes habitat decline and death for wildlife worldwide. Few mention the unrelenting population growth, but it is the primary cause of human-wildlife conflict.

### PART 1

#### (1.1.1) The Wildlife Act as it stands fails to represent contemporary expectations and values around wildlife.

Future generations cannot expect to see indigenous animals in their natural habitats or their suburbs, as some lucky people do now. Moreover, I am concerned that, by governments focusing only on 'threatened species', large numbers of the more common species such as kangaroos, brushtail possums, koalas, wombats, emus and even satin bower birds are overlooked, taken for granted and legally slaughtered, because DELWP and the Office of the Conservation Regulator fail to manage human-wildlife conflicts through the Authority To Control Wildlife permit system in particular.

#### (1.1.2) Conflicts between the interests or expectations of different stakeholders or community members

First and foremost, conflict arises between landowners (habitat removal and ATCWs), duck shooters and hunters on one hand AND wildlife rescuers and myriad like-minded Victorians like me who care for wildlife on the other hand. There are also conflicting expectations between the community and Traditional Owners' about the latter's 'use' of wildlife. See more below under 1.3.3.

Secondly, competing values (human development versus wildlife) means **competing for funding**. Without more funding for habitat/wildlife protection, any updating of the Act will be window-dressing. This year's state Budget funded two toll roads to the tune of \$21 billion, while Parks Victoria received just \$198 million; programs like Trust for Nature (\$1 million); Landcare and Parks Victoria for pest and weed

management \$1.3 million; and \$14.3 million for all the biodiversity programs and Landcare combined. Yet more taxpayer money (\$11.2 million) was allocated to promote hunting, including duck hunting, when polls have shown that overwhelmingly Victorians oppose the latter. See just a few examples below where wildlife misses out:

\*\*\*\* Builders of the \$16 billion North East Link have **underestimated the scale of tree loss** by as much as 80 per cent, a secret government-commissioned audit reveals. **A lot of wildlife** will die because of this. ('Tree chop underestimated by 80 per cent on North East Link' *Age*, 2/6/2021)

\*\*\*\* **Threatened species** in Gippsland under pressure after vast swaths of their habitat were destroyed in last year's **bushfires** are facing planned burns that conservation groups say will deepen the crisis. (SMH, 9/4/21) It is madness to have burns after the destruction of the last bushfires. <https://www.smh.com.au/environment/conservation/like-the-fires-never-happened-residents-alarmed-at-gippsland-burns-20210409-p57htm.html>

\*\*\*\* 'These **native grasslands** at Little River and many of the animals they shelter are critically endangered. Just 1 per cent of the original ecosystem remains' (*Age*, 24/7/2020 'Madness: How governments failed Victoria's endangered grassland')

\*\*\*\* **Remnant bushland to be cleared** for level crossing despite being habitat of **endangered Eltham copper butterfly**, SMH, 10/3/21. **Update!** The govt has now halted this, thanks only to residents' vigilance about butterfly presence, rather than by government planning processes. <https://www.smh.com.au/environment/conservation/suburban-residents-sound-alarm-on-rare-butterflies-as-rail-works-kick-off-20210310-p579ho.html>

\*\*\*\* **Platypus endangered and now listed as a threatened species** - Warburton in Victoria's Yarra Ranges. (Weekend Australian, 'Warburton 3799: Heart of Nation', 5/3/21 <https://www.abc.net.au/news/2020-11-13/panel-recommends-victorian-platypuses-listed-as-vulnerable/12880990>)

\*\*\*\* Locals and Murrindini Shire join forces to **protect Snobs Creek from logging as forest is facing ecological collapse** from ongoing clear fell logging. <https://yea.com.au/council-and-locals-fight-for-the-protection-of-snobs-creek-valley-inc-video/>

### (1.2.1) Are the current purposes of the Act satisfactory?

Section 1A a(iii) '**sustainable use of wildlife**' **should be deleted** from the Act as it is incompatible with para (i). Wildlife should never be killed for their meat or skins. 'Sustainable use' of wildlife should mean positive things like ecotourism - allowing Australian and international visitors to view wildlife in their habitats and sanctuaries, but only in approved settings. Killing kangaroos and other wildlife for human consumption must end. Victoria is one of the few states that still allows duck shooting. Regional areas want wildlife protected, because of amenity, tourism and job creation opportunities. Killing wildlife sends a pro-cruelty message to the community, which must be educated about the importance of wildlife and ecosystems to human wellbeing and mental health.

### 1.3.3 Traditional Owners and Aboriginal Australians

I respect and honour Victorian Aboriginal communities as Australia's First Nations. They should have input into decision making about preserving wildlife. They already do so - one example being the Yorta Yorta people in Barmah. But I do not believe Traditional Owners and Aboriginal Victorians should be allowed (or need) to kill wildlife for food, medicines or clothing, and they most certainly should not do so for commercial use.

Moreover, I strongly oppose Traditional Owners being exempt from cruelty offences under the Wildlife Act. Who is policing how these animals are killed? If Traditional Owners are allowed to use guns, which are the most humane killing method - that is not a 'traditional' killing method - so there is a glaring contradiction there. I believe Traditional Owners should concentrate on their traditional cultural obligation to protect country and wildlife rather than 'taking, hunting, or using' wildlife. I believe ethics should always transcend tradition. After all, we live in the 21<sup>st</sup> century and precious few wild animals remain in the world.

A useful example is the ongoing conflict about the killing of dugongs and turtles by Traditional Owners in north Queensland. The killing does not align with contemporary community expectations of animal welfare and protection. Back in 2012, following media reports and footage of cruelty, many thousands of Australians wrote to the Queensland government, which bowed to public pressure and stopped the killing. The local indigenous elders supported that decision, as did many cultures around the world who acknowledged that tradition is no excuse for cruelty. And surely traditional hunting should be done by canoe in any case, as it was in past times. However, since then, the Commonwealth Act now allows the killing, and the conflict continues.

<https://www.abc.net.au/news/2017-03-24/dugong-turtle-hunting-indigenous-hunting-report/8377852>

According to the RSPCA link below, the most humane way to kill a dugong is a shot to the head, but Traditional Owners had been chasing dugongs down in 20<sup>th</sup> century speedboats to harpoon them. This is not humane and, as was seen by the ban in 2012, it was unacceptable to community expectations way back then. Nowadays the community is much more aware of the sentience of animals. Conflict about killing wildlife, either with or without traditional methods, and most definitely for commercial purposes, is bound to be even more vociferous nowadays. The ABC link above mentions reports of dugong and turtle meat being sold in pubs in Cairns and Innisfail.

<https://kb.rspca.org.au/knowledge-base/can-turtles-and-dugongs-be-killed-humanely-using-traditional-hunting-methods/>

In 2019, after ongoing public concern about the cruel killing, then Senator Derryn Hinch introduced the Environment Legislation Amendment (Protecting Dugongs and Turtles) Bill 2019. Despite voters wanting it to pass, the bill was defeated by a bill committee. And the conflict rages on, because contemporary views and expectations about wildlife are not being met.

(1.3.4) Returning species to Country – for example with the dingoes and quolls in Gariwerd (Grampians) – although meaningful to Traditional Owners – is destined to create conflict with landowners who fear for their sheep and cattle. They may even illegally bait dingoes (and cause secondary poisoning to other wildlife). Also, tourists may fear dingo attacks and stop visiting the park.

While I agree that introducing an apex predator - the dingo - to reduce non-native predators instead of using poison bait and shooting has merit, ecologists risk interfering with the evolved biodiversity in Gariwerd. ('Animal Rights group raise concerns over Grampian Dingo Plan', *Age*, 27/1/21)

Only recently a bold ecological intervention to introduce Tasmanian devils to Maria Island resulted in destroying its penguin population and 'hammering' other seabirds. ('Sacrificed to the devil: 6000 little penguins driven from Maria Island', *The Australian*, 20/6/21) As one letter to the editor said, what did the ecologists expect the devils to eat when they put them there! So extreme care is necessary.

(1.3.5) I do not believe anyone should kill wildlife for commercial purposes, Traditional Owners included.

## Definitions 1.5

All indigenous creatures (wild and captive), including marine and terrestrial, vertebrate and invertebrate, should be protected under the Act. Non-native creatures should have their welfare covered by other animal Acts. If not, new acts should be created or amendments made to existing acts. (1.5.3) 'Game' animals should not be included in the Wildlife Act. Like most Victorians, I do not believe our native ducks are 'game'. They must be left in peace in the Wildlife Act.

## PART 2:

### How does the Act interact with other legislation about wildlife and animals?

(2.1) A combining of the Wildlife Act and the Flora and Fauna Act into a single new protection Act would enable an integrated ecosystem-based approach to wildlife protection.

The new Act should not be administered by a huge department like DWELP. There are too many conflicts of interests competing under its umbrella. The 2020 report of the Independent Review of the federal EPBC Act found that poor governance and ineffectual regulation were a major reason for the failure to prevent biodiversity loss. Successive governments' eradication programs and the uncontrolled killing of wildlife have led to significant declines in wildlife. (2.1.3) There should be a separate act for non-indigenous 'game' animals. So called 'game' animals have no place in a wildlife Act. Native water birds, including ducks, must be included in the Wildlife Act and their shooting banned. The modernisation of the Act is an ideal time for Victoria to ban this ugly anomaly. Other states have banned duck shooting – WA in 1990; NSW in 1995; Qld in 2005.

(2.2.1) Habitat isolation and lack of connectivity to other/nearby continuous viable habitats endangers wildlife. The Victorian government must have reciprocal regulations/arrangements with other states to protect wildlife when crossing state boundaries. For example, the endangered Swift parrot flies from Victoria to Tasmania to breed. Just as Ramsar treaties, protect wildlife beyond international borders, Australian states must work with each other with reciprocal regulations to protect wildlife migrating between states. ('Leave the forests alone, Swift action needed to save endangered parrots', 34/5/21, Age)

(2.3.1) The current act fails to prevent habitat lopping in the community. There is no monitoring of building sites to see if landholders are attacking native trees, or other vegetation that provides cover. I have seen street habitat lopped by owners for parking spaces. Councils do not seem to follow up with offset plantings on new houses or estates. Indeed many housing estates don't even plant native vegetation. People need to be educated about the need to retain whatever native remnants are left on housing blocks. Perhaps councils should offer a few free trees or shrubs. Otherwise, the birds, insects, lizards etc will die out – along with biodiversity.

(2.3.3) Duties should be prescribed to ensure public and private landowners preserve remnant indigenous vegetation on their properties. They should be educated and encouraged to create 'corridors', plant trees and shrubs, nesting boxes etc. Fines should apply for habitat destruction.

(2.4.2) Private landholders should not have greater rights to do what they like with wildlife on their properties unless they have adopted a private custodianship model for the preservation of wildlife or entered into an environmental stewardship program. In the list of projects in the federal government's Natural Resource Management grants below, there are few Victorians listed. Perhaps Victorian landowners could be encouraged to apply for grants to improve habitat. Wildlife is a public asset, but there are domestic and international tourism opportunities to showcase them (appropriately and regulated) in their habitats as well.

<https://www.bct.nsw.gov.au/private-land-conservation-Outcomes>

<http://www.nrm.gov.au/system/files/pages/662900f0-2468-4fc8-b847-5ee6946b8022/files/nlp-environment-small-grants-successful-projects.pdf>

(2.4.3) The Wildlife Act must recognise the sentience of **all** creatures. Not just 'some'. Its introductory section must describe animal sentience to educate and remind those who work with and/or who must abide by the law, regulations, penalties etc. about the validity and science behind animal 'sentience'. Wildlife is just like our pet cats and dogs and all animals in that respect - and deserves our compassion – always. See the RSPCA link below for guidance on 'sentience'.

<https://kb.rspca.org.au/knowledge-base/what-is-animal-sentience-and-why-is-it-important/>

(2.4.4) Traditional Owners should have same rights as everyone else.

**PART 3 (3.2.1)** Yes, community consultation is very important, especially on the killing and culling of wildlife - and duck shooting. The Act should have a participatory model with input from public and private landowners, wildlife carers/rescuers, scientists, Traditional Owners and Aboriginal Victorians, and ordinary members of the community like me.

Whenever DELWP calls for submissions on its inquiries, it should be widely advertised. For example, I did not know about the 2018 Review of the ATCW, but if I had I would have made a submission. Not everyone in the community is an 'active' stakeholder - either an affected landowner or a wildlife group member. However, the community (the bulk of the population) are stakeholders in animal welfare and wildlife and are entitled to be advised when submissions are called for. One has only to recall the vast sums the public donated for wildlife care after the recent devastating bushfires to realise how much people care. Inviting the public to make submissions engages them, and their feedback would be informative and stop them feeling so helpless against faceless decision-makers. Not everyone is on social media, and reviews calling for submissions should be advertised in the Victorian daily newspapers so people have a chance to contribute. This goes to transparency as well. See also my comments below on Part 4.

The NRM Regions model would benefit from input from carer groups to represent the many Victorians who tend wildlife. There should be consultation and transparency on **wildlife management plans** and all decision making, especially decision-making on duck shooting, culling, commercial kangaroo killing, etc. (3.3.1) Management Plans could be similar to the Fisheries Act, with emphasis on welfare.

### **My Additional Comments on ATCWs**

Are we the only country that both protects, yet kills, wildlife in large numbers? I note from the Issues Paper that some wildlife is 'unprotected' and can be killed without the killer even obtaining an ATCW. This is wrong, and it encourages lawlessness.

Farmers and landholders are favoured by the permit system over the interests of the community at large who want to conserve wildlife. Those issued with permits must undergo competency tests, and accredited professional shooters must be used. ATCWs must be monitored and enforced (not left to landowners to carry out, alone and unmonitored).

ATCWs cause anxiety and grief to wildlife rescuers and the community. Before decisions to cull are made, decision makers must be made to prove and document that all non-lethal alternatives have been examined thoroughly. Below is a list showing the sickening variety of native animals legally slaughtered under the ATCW system, which I found in a recent submission to a government inquiry:

The species subject of lethal control under these authorisations are many and varied. For example, in 2019, a total of 188,759 wild animals and birds consisting of the following species were authorised by DELWP for control: Fur Seal (45) Australian Magpie (260) Australian Magpie Lark (41) Australian Pelican (10) Australian Raven (3152) Australian Shelduck (348) Australian White Ibis (495) Bell Miner (50) Black Kite (20) Black Swan (500) Black Wallaby (1028) Black-faced Cuckoo-shrike (90) Cape Barren Goose (265) Chestnut Teal (330) Brushtail Possum (32) Long-necked Tortoise (100) Wombat (3655) Crimson Rosella (460) Eastern Grey Kangaroo (112477) Eastern Rosella (272) Emu

(966) Eurasian Coot (500) Fairy Martin (14) Fallow Deer (1700) Galah (2681) Great Cormorant (140) Grey Butcherbird (1) Grey Teal (160) Grey-headed Flying-fox (6604) Hog Deer (39) Koala (100) Little Black Cormorant (30) Little Corella (6919) Little Pied Cormorant (140) Little Raven (678) Long-billed Corella (3790) Lowland Copperhead (100) Maned Duck (3492) Masked Lapwing (191) Musk Lorikeet (1365) Noisy Friarbird (170) Noisy Miner (242) Pacific Black Duck (510) Pied Currawong (445) Rainbow Lorikeet (620) Red Deer (1260) Red Kangaroo (10073) Red Wattlebird (460) Red-necked Wallaby (113) Sambar (2274) Satin Bowerbird (60) Silver Gull (440) Silveryeye (226) Straw-necked Ibis (50) Sulphur crested Cockatoo (4570) Tiger Snake (101) Welcome Swallow (15) Western Grey Kangaroo (13952) White-faced Heron (10) White-winged Chough (8) Yellow-tailed Black Cockatoo (1).

These figures DO NOT include the 60,000 kangaroos allocated for commercial slaughter under quotas set by DELWP in the Victorian Kangaroo Harvest Management Plan for 2019- 2020. We have attached a copy of the available data showing the numbers and species subject of lethal control in Victoria between 2009 and 2019 as part of this submission. It is important to note that because there is no oversight of shooters activities (including at the point of kill) and there is no requirement for shooters to provide “returns” documenting and verifying the numbers of animals killed, it impossible for DELWP to ensure that landholders do not overshoot or kill more animals than nominated in their ATCW permits.

(**Source:** Victorian Wildlife Shelters Coalition, submission No 496, page 13, to LC EPC Inquiry into Ecosystem Decline in Victoria, 2020.)

I have read about the many **alternatives to killing**, including fertility control, locating of beehives, and even in Africa where they successfully use chilli-coated string fences to keep out elephants and zebras from sensitive habitat. Nowadays predator fences are common. Maremma guard dogs have been successful with protecting fairy penguins in Warrnambool and elsewhere on farms. DNA sterilisation methods and gene technology are being developed. **Revegetating habitat** - Much of the protective work does not require complicated skills - for example, weeding and cleaning up damaged areas. Thousands of jobs could be created for tree planting on farmland and parks. See link below for genetic solutions:

<https://www.abc.net.au/news/2021-06-03/funding-for-genetic-biocontrol-research-to-control-mice/100186918>

### **My Comments on Baiting animals**

(See also **Note 1 \*1080 Poison** on page 12 at the end of this submission)

Like many, I oppose baiting because of (a) Egregious cruelty (b) Secondary poisoning of non-target animals, pets and working dogs. See the link below where hundreds of galahs died from ingesting poison bait aimed at the current NSW mouse plague.

<https://www.abc.net.au/news/2021-06-04/bird-victims-of-suspected-mice-baiting/100187904>

<https://www.natureconservation.org.au/wp-content/uploads/2019/01/Rat-Control-Native-Wildlife-Information-Sheet-Final-2-.pdf>

<https://www.abc.net.au/news/rural/2021-06-01/fears-napalm-like-mouse-bait-could-poison-native-fish-birds/100179620>

Care must be taken with herbicides and poisons. There must be strict permits with monitoring and high penalties for non-compliance. Experts say introducing bromadiolone – also known as mouse "napalm" – will be catastrophic for ecosystems. Worse than the mouse plague itself. (See link above) I was pleased to read a few days ago on the ABC website that the independent Australian Pesticides and Veterinary Medicines Authority refused the NSW primary industry department's application to use bromadiolone on the current mouse plague. See further link below about the dangers of poisons:

<https://www.abc.net.au/news/2021-01-13/acrolein-treatment-of-torrumbarry-channels-worries-ecologist/13053590>

**Fees (3.5.2)** User pays and full cost recovery must apply. The beneficiary must pay. Revenue from penalties should be put back into recovery and licensing/permit system and not into general revenue.

**(3.6) Mandatory codes and guidelines** must be included in the act so that well-meaning, but sometimes inexperienced wildlife rescuers, are clear about their responsibilities so that wildlife get the best possible treatment to ensure their survival. Therefore, it is imperative also that detailed handbooks on the caring of all species be handed out with every licence granted to assist carers and wildlife.

## **PART 4. Transparency and Accountability**

“At present, the Department of Environment, Land, Water and Planning provides only aggregated annual reports of non-lethal and lethal permits. There is consequently no transparency of the extent of legal killing in Victoria under this scheme. Adverse impacts on neighbouring properties are not part of the requirement of obtaining a lethal ATCW”. (**Source:** Wildlife Victoria submission No 712, page 7, LC EPC inquiry into ecosystem decline in Victoria, 2020, p. 7)

**(4.1)** We must have reporting back on ATCWs – Those killing or culling kangaroos and other animal on public or private land must report back on numbers and methods used. Professional shooters must be used. They must be more accountable. The community has a right to know.

The community needs transparency and accountability. For example, we have no idea of the decision-making process for duck shooting or culls. The decision-making process must be open with an appeals process on any decisions and how they were arrived at. **(4.2.1)** Independent advisory panels and expert up-to-date and evidence-based scientific advice must be presented before decision making. For example, as a member of the community I consider the Game Management Authority's input into decision making about duck shooting to be a blatant conflict of interest. Advisory bodies to decision makers must include animal welfare/rescue representatives for transparency's sake.



## PART 5 Enforcement and compliance

5.1.1 Other offences should be included where applicable. The most appropriate and effective way to encourage compliance and punish wildlife crime is to strengthen laws and impose higher penalties. **It should not be an offence for wildlife rescuers to enter wetlands during duck shooting to rescue injured ducks and birds.**

An independent statutory authority is needed to oversee the Wildlife Act to oversee governance, compliance and enforcement of the new Wildlife Act and Flora and Fauna Act

There is a glaring conflict of interest between DELWP with its dual role of granting ATCWs to kill on one hand and its granting permits to carers of wildlife on the other hand. The Conservation Regulator (OCR) has too many hats – it cannot manage wildlife, forests and public lands. The OCR lacks independence and lacks compliance and enforcement teeth.

To avoid conflict, an independent office (separate from DELWP and OCR) should be created for cruelty investigations and breaches of the Act. Such an office/inspectorate should have a compliance role like the RSPCA. Compliance Officers must be on call 24 hours (after hours and at weekends) for cruelty investigations. The current system when DELWP officers knock off at 5pm and at weekends is totally inadequate. Perpetrators know this and this will be when offences and cruelty take place, especially with kangaroo killing, but in many other cases as well.

Strict monitoring and enforcement are needed. For example, how can compliance, let alone enforcement, be achieved if officers have to monitor practically every swamp in Victoria? They cannot be everywhere! Increasing penalty units is a terrific deterrent, but we need compliance officers on the ground. So far it has been left to duck rescue groups to pick up the pieces. This is traumatic to ducks and to those who try to rescue and care for their injuries. Penalties should be imposed for removing animals from their habitat (except for rescue) and for the feeding of wildlife.

(5.2.1). **Maximum penalties should be higher** and strictly applied in a timely manner. For example, the penalties in the wedge tail eagle case in Gippsland were inadequate and did not fit the crime. The community has no redress. The legal proceedings in the 2019 Violet Town massacre of eagles are ongoing 2 years later. The koala starvation and deaths at Cape Bridgewater in 2020 are still awaiting a legal outcome. Myriad other less-high-profile but equally cruel cases are probably occurring, and perpetrators get away with it through lack of deterrent and compliance officers. The system is too reliant on citizens' reporting occurrences. Whether it is one creature, or 300 creatures, the suffering of each one is the same. It is heart breaking for those who report cruelty to see no action taken to stop it. Prosecution, sentencing and punishment, including imprisonment, should be timely, and not allowed to drag on.

(5.3.1) Yes, the Act must have general provisions creating continuing offences and allowing for additional penalties.

**Examples of illegal killing of wildlife where no perpetrators have yet been charged include:**

“• 2020: 4 wombats killed near Kyneton • 2020: Wedge-tailed eagle shot in Macedon • 2020: 6 Grey-headed flying foxes killed in Bairnsdale • 2019-20: Hundreds of koalas killed or injured at Cape Bridgewater • 2019: 89 poisoned Wedge-tailed eagles near Violet Town • 2017: 20 Wedge-tailed eagle bodies found dumped near Yea • 2017: 8 Grey-headed flying foxes shot in Bairnsdale • 2016: 3 shot birds of prey found dumped near Violet town • 2013: Box Flat wildlife massacre”

(Source: Wildlife Victoria submission No 721, page 7, LC EPC inquiry into ecosystem decline in Victoria, 2020)

(5.4.1) Community impact statements, should be available to all, enabling individuals and organisations to describe the harm and loss they suffer from the impact of wildlife cruelty offences. I, as well as others I know, have been personally traumatised by seeing duck shooters wringing the necks of injured ducks, finding badly injured wildlife and seeing mauling by hunting dogs. Victorians are entitled to watch media footage of duck shooting and culls to see for themselves what is happening. And they should be able to have a say in these ‘victim’ statements. Wildlife lovers are victims too. Cruelty hurts everyone.

**For example:** “There are many adverse impacts of the legal killing of wildlife, including: • Fear of injury and death from shooting close to residences • Mental trauma of witnessing killing and the aftermath of killing. An example is Dunkeld, where residents and visitors have been traumatized by kangaroo killings in 2019 and 2020. Authorised wildlife carers having the animals they have rehabilitated and released being shot by neighbours issued an ATCW • Damage to businesses reliant on wildlife experiences • People moving from rural areas following traumatic experiences with local wildlife killings • Discouraging people moving to or visiting rural areas • Adverse international attention impacting tourism potential • The cultural normalisation and reinforcement of violence toward native species”

(Source: Wildlife Victoria submission No 721, LC EPC inquiry into ecosystem decline in Victoria, 2020, p. 7)

Last month a man brutally killed a kangaroo with a tractor. He should be heavily penalised, and the community is entitled to make a community impact statement. (See link below)

<https://www.abc.net.au/news/2021-05-19/authorities-investigate-kangaroo-killed-by-tractor/100149110>

Before sentencing, judges should seek input from scientific advisory groups. Perpetrators should be made an example of and banned for life from duck shooting, or other cruelty, or owning animals. Too few prosecutions are attempted. More compliance officers are needed to enforce stricter laws.

(5.4.2) The Act should have specific provisions to guide sentencing after conviction.

(5.5.1) No, I prefer criminal prosecutions, convictions and prison if deserved - not civil penalties.

(5.5.2) Infringement notices can be used for very, very minor offences to speed up prosecutions, but Fines must be increased to be a deterrent.

(5.5.3) Enforceable undertakings - Forfeiture, such as taking away guns for breaches of the law, permits and licences, would be a good deterrent. (5.5.4 to 5.5.7) Yes.

(5.5.8) More compliance staff must be put on the ground 24/7. Education and awareness programs for the community, industry, local govt and housing developers and landowners. Staff must be able to stop an activity and remedy a harm and be exempt from offences under the act.

(5.6.1) More powers must be given to increased numbers of enforcement officers. There must be severe penalties for duck shooters who have shot the wrong (protected) ducks and birds, or left them to die instead of being euthanised. Higher penalties are needed to match the crime.

(5.8.1) Yes, the Act must provide for [third-party civil enforcement](#).

As I have said, the vast amounts that Victorians donated to wildlife rescue after the last bushfires shows how much they care. That is why interstate and international tourists come to see wildlife and why people decide to tree-change. Domestic and international tourism contributes more to our economy than agriculture, forestry, fishing, IT, media and communications combined (Tourism Satellite Account 2019) - and nature-based tourism is the fastest growing component.

## Conclusion

In the link below eminent ecologist Professor Possingham points out that Australia's wildlife losses not only impact people's everyday enjoyment but also reduce our economic prosperity.

... biodiversity makes us happy and it makes us a lot of money," he says. "

"The dawn chorus that we love is diminishing, not necessarily because species are going extinct, but their overall abundance is declining.

"Even if you don't care about nature, the business case is very strong. If your company was running Australia Inc, you would spend at least a billion dollars a year on preventing biodiversity loss because so many pay us to travel here and look at our wildlife."

<https://www.smh.com.au/politics/federal/why-is-australia-a-global-leader-in-wildlife-extinctions-20200717-p55cyd.html>

I ask:

**Please** - increase the clarity, transparency and accountability in decision-making involving harm to wildlife.

**Please** - ensure that those who wish to harm wildlife present sound scientific reasons for their actions.

**Please** - ensure Victoria has robust reporting mechanisms for decision-making.

**Please** prevent harm to wildlife rather than facilitate it, as is currently happening with wombats, ducks, flying-foxes and many other species in the ATCW permit system.

**Please** - ensure the provision of appropriate independent advice to improve the quality of decision-making in the form of an '**independent statutory authority**' to **administer the laws**.

**Please** - strengthen policing and impose higher penalties for cruelty to wildlife.

**Jan Kendall**  
**June 2021**

**Note 1 \*1080 Poison**

From my reading of the submissions and comments thus far, I see many share my view that 1080 poison must be banned. Besides being grossly inhumane, 1080 is deadly for pets and non-target animals. Australia still uses 1080 to kill 'pest' animals and our wildlife, although it is a banned substance in most other countries. 1080 has secondary effects by killing the predators that eat prey killed by 1080. 1080 is dangerous to other wildlife, pets, working dogs and people. In 2007 the RSPCA science confirms that 1080 is inhumane. See link below.

[https://www.researchgate.net/publication/228620466\\_Is\\_sodium\\_fluoroacetate\\_1080\\_a\\_humane\\_poison](https://www.researchgate.net/publication/228620466_Is_sodium_fluoroacetate_1080_a_humane_poison)

A further link below, entitled 'Killing Schrodinger's Feral Cat', by Dr Clive Mark, deals with laboratory experiments on feral cats to determine the effects of 1080. This link and the gross inhumanity it describes should be compulsory reading for those using or contemplating using 1080.

<https://ro.uow.edu.au/cgi/viewcontent.cgi?article=1071&context=asi#:~:text=A%20photograph%20of%20the%20physicist,mysterious%20wants%20of%20quantum%20uncertainty.>