

Wildlife Act Review

Issue Paper questions - Response 5:

Contributor: Individual

Primary interests:

- Protection and conservation of wildlife and habitat
- Rehabilitation of sick, injured and orphaned wildlife
- Wildlife welfare
- Protections for marine mammals
- Offences and penalties relating to wildlife
- Licenses and authorisations
- Compliance and enforcement

Question responses

1.1.1 In what ways does the Act succeed or fail in representing contemporary expectations for, and values relating to, wildlife in Victoria? Please provide examples from your own experience.

My experience with DEWLP is they don't respect and use experienced wildlife shelters, rescuers & carers during natural disasters like fires & floods, they actually avoid letting them help or being included in any way, and they are threatened by staff when they try and push to help during a disaster. DEWLP do not treat shelters, carers, etc. with the respect they deserve when they are the one actually doing the hard work day in and day out with wildlife needing human intervention. Wildlife habitat, wellbeing, and their importance in the environment seems to not matter anymore, there is more talk of animal management and culling than preserving these beautiful animals and their homes. DEWLP need to be acting more on protecting all wildlife and their environment and worrying less about their admin processes and having staff in important roles who do not care about wildlife at all. DEWLP need to offer more support and training to the shelters, carers & rescuers in Aust and financially supporting them more throughout the year as well instead of offering small grants that go nowhere and not everyone is fairly chosen to get the grants.

1.1.2 Are there conflicts between the interests or expectations of different stakeholders or community members regarding wildlife in Victoria? Please provide examples from your own experience.

I feel humans (people in power or have money) think they are more important than animals and because councils and big business are building/pushing animals out of their homes/habitat which leaves them with nowhere to go, so DEWLP then comes in and does culls, there needs to be more natural reserves, bushland & habitat left for animals and humans with money need to stop being allowed to build in protected habitat areas.

1.1.3 How can the Act balance the diverse interests of Victorians in protecting, conserving, managing and using wildlife? How might such competing interests be better reconciled in legislation? Are there examples from other sectors or other jurisdictions (both in Australia and internationally) that may be useful?

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leaves them with nowhere to go, so DEWLP them comes in and does culls, there needs to be more natural reserves, bushland & habitat left for animals and humans with money need to stop being allowed to build in protected habit areas

1.2.1 Are the current purposes of the Act satisfactory? If not, what should the desired outcomes, objectives or purposes of the Act be? How should the objectives and purposes of the Act relate to the desired outcomes? How would they ensure desired outcomes are achieved?

No the ACT is for people and property not protecting wildlife as the priority

1.2.2 If objectives and purposes are likely to be competing, how could the tensions be resolved?

animal welfare and protection needs to come first not Government, property, people & money 1st

1.2.3 Are there examples of well designed legislation from other jurisdictions (both in Australia and internationally) with clearly stated objectives and purposes that could inform Victorian law?

Victorian Law should protect all animals and heavy jail time for people who are cruel or mistreat any animals there is not a strong enough law protecting animals from people

1.3.1 Is the Act a barrier to self-determination for Traditional Owners or Aboriginal Victorians? If so, what specific elements give rise to barriers and how might these barriers be reduced or eliminated?

I dont think Aboriginals need to be included in the act so it gives them a right to kill native animals they dont live like they use to so shouldn't be allowed to legally kill wildlife just because the ancestors use to especially endangered species

1.3.2 Should the Act recognise the cultural significance of Country and wildlife to Traditional Owners and Aboriginal Victorians? Should the Act explicitly recognise the value of Indigenous Ecological Knowledge for the stewardship of Country and the conservation of wildlife?

wildlife needs to be protected especially endangered species no mater your race we have no right to continue to kill or harm animals for our own personal gain it is not a survival thing these days

1.3.3 Should the Act prescribe a role for Traditional Owners and Aboriginal Victorians as key partners in decision making about conserving wildlife? What could that role look like?

NO

1.3.4 Should the Act afford additional protection and the ability to return species to country because of their cultural significance?

NO

1.3.5 Does the Act provide appropriate mechanisms for Traditional Owners and Aboriginal Victorians to use wildlife? Should the Act support commercial use of wildlife by Traditional Owners and Aboriginal Victorians?

wildlife needs to be protected especially endangered species no mater your race we have no right to continue to kill or harm animals for our own personal gain it is not a survival thing these days

1.4.1 Should the Act prescribe a general duty of care related to wildlife conservation or biodiversity protection more broadly? Why or why not? How could it work in practice?

YES

1.5.1 Are there any definitions that are unclear or confusing or that cause problems for achieving the outcomes and objectives of the Act?

the act needs to have stronger law on protection and jail time for cruelty and breaking the law

1.5.2 Should any additional animal species or taxa (groups of species) be included in the definition of 'wildlife' or 'protected wildlife'? Should any species or taxa be excluded and therefore be exempt from some provisions in the Act?

NO

1.5.3 Should 'game' animals be defined as wildlife in the Act or defined some other way or excluded from the Act entirely?

YES all animals need to be included so they are protected

2.1.1 Do you have any comments on the interactions between the Wildlife Act and other legislation?

they should both align

2.1.2 Should wildlife, flora and fauna generally be regulated by a more inclusive statute?

yes

2.1.3 Should game management be regulated under its own Act? What are the advantages and disadvantages of such an approach?

YES - all game stuff needs to be high;y regulated for cruelty

2.2.1 How do regulatory differences between states help or hinder wildlife management? Please provide examples from your own experiences.

ALL states should be the same animals welfare should be the priority

2.2.2 How can the review of the Act address differences in regulation across land tenure regimes?

2.3.1 In what ways does the Act succeed or fail in protecting and conserving wildlife habitat? Please provide examples from your own experience.

The act fails to protect wildlife & their environment because there are too many grey areas tat people can hide under

2.3.2 How should the Act provide for the protection and conservation of wildlife habitat?

make it law people cannot push wildlife out of every habitat and law all wildlife and their environment is heavily protected and heavy jail time or fines happen even to councils, the public and big companies who ignore wildlife protection

2.3.3 Should the Act prescribe duties for landowners about protecting and conserving wildlife and wildlife habitat on their land? What could those duties look like?

YES YES YES they must not displace wildlife they have to help them live together

2.4.1 Do property rights related to wildlife need clarifying? If so, how?

YES need to be very clear

2.4.2 Should private landowners have greater rights to use of wildlife on their property?

NO wildlife is the priority not the Land owner

2.4.3 Should the Act recognise sentience of some wildlife and, if so, what would this achieve? How would this recognition affect the rights and responsibilities of governments, businesses and individuals?

NO People wanting animals moved or culled for their own gain is not ok

2.4.4 What rights and responsibilities should Traditional Owners and Aboriginal Victorians have related to wildlife?

NONE they dont live off the land anymore its not necessary

3.1.1 Should the Act include statements of principle and criteria to guide regulators, duty holders and the public? Why are such principles important? If you do support including principles, what do you think they should be and why?

act needs to be clear that animals are as important as people

3.2.1 Should the Act include provisions for consultation with the community on certain issues? What issues should undergo community consultation?

NO most people in the community have no idea of the importance of wildlife in the environment

3.2.2 How can community involvement in decision making under the Act be improved?

3.2.3 Are there currently barriers to private sector actors having meaningful involvement in wildlife management and conservation in Victoria? What are those barriers and what problems do they create for achieving the objectives of the Act? How might any such barriers be removed or minimised?

My experience with DEWLP is they dont respect and use experienced wildlife shelters, rescuer & carers during natural disaster like fires & floods, they actually avoid letting them help or being included in any way, and they are threaten by staff when they try and push to help during a disaster

3.3.1 Should the Act enable wildlife management plans? What provisions should be included for such plans?

management plans are another word for culls this needs to be highly regulated and better managed by DWELP it all seems to work around money and big copmanies who pay their way

3.4.1 Should the Act simplify and clarify the provisions relating to the various licences, permits and authorities? Is there scope to reduce regulatory burden without undermining the intended outcomes of the Act?

Cull permits and game killing licences need to be more high;y looked at the cruelty is too high

3.5.1 Is the Act transparent about who pays for regulatory services?

?

3.5.2Is full cost recovery appropriate, or should fees for some licences and activities be subsidised? What role is there for user pays or beneficiary pays principles? What, if any changes, should be made and why?

Any volunteer of wildlife rescue, rescuing snakes all should be free if your not making money form them

3.6.1Should the Act contain provisions that allow for issuing mandatory codes of practice, standards or guidelines?

yes

3.6.2What activities could most benefit from the development of mandatory codes or standards?

Codes and standards need to be issues to all places that keep wildlife in captivity example Phillip Island Wildlife Park is very cruel and should be shut down and animals rehouse to better homes or euthanized some are in poor condition or have been abused by the owner and no one dies anything he has been reported to DEWIP & RSPCA many times

4.1.1Does the Act require an adequate degree of transparency about, and accountability for, decision making on matters relating to wildlife? If not, how could this be improved? For example, which activities/decisions/criteria should be more transparent? Which parties should be more accountable and for what?

NO

4.2.1Should the Act include provisions that require and enable establishment of a scientific advisory committee or advisory panels to provide expert guidance to key decision makers such as the Minister, the Secretary or the regulator on specific matters relating to wildlife? Why or why not? What other approaches are available?

yes

5.1.1Should the Act include other offences?

yes any cruelty needs to be an offence and followed up by DEWLP

5.1.2Should any offences be repealed?

offences are not always followed up by DELWP because they dont want to do paerwork

5.2.1Are the maximum penalties in the Act adequate to punish and deter offenders? If not, what should they be?

NO NOT EVEN CLOSE

5.3.1Should the Act contain general provisions creating continuing offences and allowing for additional penalties?

YES YES

5.4.1Should the Act contain provisions to permit community impact statements relating to the harm caused to wildlife?

YES

5.4.2 Should the Act contain specific provisions to guide sentencing of offenders convicted under the Act?

YES

5.5.1 Should the Act contain civil penalty provisions? If so, what penalties should be included? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

yes

5.5.2 Should the Act allow for infringement notices for minor offences? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

yes

5.5.3 Should the Act contain provisions enabling regulators to enter into enforceable undertakings? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

yes

5.5.4 Should the Act contain provisions allowing for compensation orders or mandated bonds/financial assurances? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

not sure

5.5.5 Should the Act contain provisions allowing for the making of costs orders? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

not sure

5.5.6 Should the Act contain provisions allowing for the making of a monetary penalty order? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

yes

5.5.7 Should the Act contain specific provisions to allow for the forfeiture of property used in the commission of an offence under the Act? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

yes

5.5.8 Does the Act contain adequate regulatory tools, sanctions and remedies to punish and deter wildlife crime? If not, what additional tools, sanctions and remedies should be included within the Act?

YES YES YES

5.6.1 Does the Act contain the necessary powers and provisions to enable authorised officers to enforce the Act? What powers and provisions should be available to authorised officers? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?

they need to have the power of the federal police this is important

5.7.1 Does the Act provide appropriate provisions for the review and appeal of decisions?

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5.8.1 Should the Act provide for third-party civil enforcement under the Act? How might this make a difference in achieving the intended outcomes of the Act?

yes

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