

## Wildlife Act Review

### Issues Paper questions – Response 23:

Contributor: Individual

#### Primary interests:

- Private and/or commercial keeping, breeding, trading, displaying and/or processing of wildlife or wildlife products
- Offences and penalties relating to wildlife
- Compliance and enforcement
- Protection and conservation of wildlife and habitat

#### Question responses

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

No

##### **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?**

Wildlife is sentient and not property. The only people who should be able to keep/ rehabilitate wildlife are registered wildlife carers, shelters etc. General public without a permit should not be able to keep wildlife in captivity even on their own property nor make money from breeding.

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

So called pest animals

Non lethal methods are the preferred method to curb numbers eg. Deers. The shooting of a non reproductive pellet into the animal in order to control their reproductive ability.

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

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?**

I am extremely disappointed with the range of penalties that magistrates may be able to assign for animal cruelty.

For example, if say 3 youths tie a kangaroo to a ute and drag it for a few kilometres, the typical penalty is a good behaviour bond. This is grossly inadequate. I believe we need a greater range of penalties.

For example, if a magistrate is loathe to put an offender in jail because he/she has employment and jail will upset their family life – well let's hand out home detention on the weekend from Friday night to Monday morning and/or curfews from 7pm during the week. Duration – anything up to 2 years. If they breach this penalty on more than one occasion it can be upgraded to a jail sentence

Trading/Smuggling of wildlife overseas - hugely increased fines and lengthy jail sentences

Consideration for people with mental illnesses.

If a person with a mental illness commits a crime against wildlife, there still needs to be a penalty. Eg. Direction to attend medical personnel, obtain treatment plus home detention is an option instead of jail.

Poisoning of wildlife is an abhorrent crime.eg. eagles. Fines for this need to be significantly increased along with jail time. Most people I have spoken to were absolutely horrified that the deliberate death of an eagle was worth only a few dollars in fines. Again grossly inadequate

**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?**

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**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?**

Investigation of wildlife crime needs dedicated personnel.

It seems that there is little investigation into crimes perpetrated on wildlife and domestic animals.

We need designated Animal Sheriffs who would have powers to research, investigate crimes against wildlife and put them before the courts. If necessary, across borders. This is sadly lacking.