

## Wildlife Act Review

### Issues Paper questions – Response 32:

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#### Primary interests:

- Protection and conservation of wildlife and habitat
- Management and control of wildlife causing problems or damage
- Rehabilitation of sick, injured and orphaned wildlife
- Wildlife welfare
- Hunting of wildlife
- Protections for marine mammals
- Offences and penalties relating to wildlife
- Licenses and authorisations
- Compliance and enforcement
- Traditional owner cultural values and use of wildlife
- Other: Treating animals more like people OR people more like animals. Ethically, I believe this is the middle path. Desexing and Euthanasia may have a place. One day perhaps even necessity.

#### 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.**

As a 64 year old Australian man , having lived in this country all my life, and who has witnessed the decline in species numbers, from the Bogon Moth migration, and the common find to rarity in Eucalyptus Moth and Caterpillar (which I have not seen for at least 30 years), through to the migration of Shearwater aka Mutton bird, the number of Koala in trees on Phillip Island declined from one or two in every second tree to NONE, and the numbers of Little Penguin emerging from the sea in the evening when I were a child, from many over several hours to very few briefly or staggered to a percentage of the number only 50 years ago. The answer to this is the same as "Have you seen Thylacine lately?" and except for photograph or artist representations, NO NO NO!! Tragic Genocide at our hands over the 233 years since we refused to accept the integrity sovereignty and wisdom of the indigenous people we did not so much as apologise to for 200 years plus, for concealing our ignorance with arrogance, and our naiveté with conceit and barbarism. Certainly, little reason for patriotic pride nor less than shame for my species.

##### **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.**

Yes. Total lack of empathy and shallow unfounded narcissism, as if we are the only creature with a right to exist. I was angry enough when 10 and the human population a mere 3.5 billion, to decide when the family cat was being spayed, to have myself desexed as soon as I could. At 30 years of age, yes, a vasectomy I had.

##### **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?**

By investigation of requests to kill, move on, poison with bait, ANY LIVING thing requiring a permit, and ceasing to make such requests easier than getting a licence to drive a car. Also to increase enforcement penalty and scrutineer of said claims, to ensure cruelty and lack of necessity are not expedience over care. To ensure that the penalties for breach of law, for acts of cruelty, abuse, genocide, are not less weighted than are those upon people trying to rescue a living thing from harm. Presently our Animal Care and Welfare legislation is similar to death sentence for substance use, and a pardon or slap on the wrist for child abuse in some parts of Asia. Frankly, improper, unethical, imbalanced and shameful.

**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?**

Clarity is acquired by the philosophy of animal rights, and Australian Philosopher, Peter Singer. Recognition of creature Sentience, that even Honey Bee and Bull Ants have sentience, that we are not the only feeling creature in God's universe, and that butchery by proxy is NOT exemption from blood on our hands, between the shed and KFC, or the farm and the Abattoir. We know that cruelty to animals by a child is often an indication of the development of a homicidal sociopath, and it ought come as no surprise, that a lack of empathy on the part of our community, our species, can also be a pathway to people we don't understand or approve of for their difference, being on the next cattle train to extermination in the name of eugenics. We sure cannot say this is unlikely, can never ever happen. Can we? Sentience ought to be included and inclusive of bees, fish, cephalopod, with no assumption that a creature without any central nervous system is unable to be sensitive however remote this may seem to the limited comprehension of the biased human frame of reference and range of perception. Indeed, even plants are found by repeatable experiment to indicate both memory and aversion to threat.

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

Every issue is inherently different from every other, and it is unlikely that PETA will easily or readily find concord with the leather industry. Group may find a way to accept if not tolerate other opinions and policies, but none should ever accept cruelty at any level, nor potential extinction of a species or habitat loss with an indifference or shrugging lack of empathy. It if were true that "The least of my brethren" implied other species given human equality as fundamental, then other creatures and flora have as much right to exist without malevolence as do we. It is acceptable to the thinking mind that certain species of a nonindigenous / native kind are a threat to the survival of some species which are both rate and native, such as some alpine flora to horse hooves, and cassowary to packs of feral boar, but amateur shooters need not apply for a job better done humanely by marksmen or women with proven professional accuracy. Poison must be avoided entirely, because collateral killings are as likely as galah with mice, and most poisons tend to flow through the food chain and remain in the environment to do further damage,

**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?**

No. Even family law and protection for the aged and the young, for the disadvantaged, for the terminally ill, are flawed by proven failures in multiple examples, at state and federal levels. Either enforcement is too lax, the laws too loose, or an endemic symptomatic procedure not addressed

adequately. Thus I do not envy you this taste, but what improvements which are possible will be far better than the lack of effective animal welfare now, where those who are trying to rescue a creature from cruelty can be penalised more than someone found to or alleged to have committed crimes of actual sadistic cruelty. Fact is, unfortunately, in some people a sense of empathy exists nowhere but in regard to themselves.

**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?**

It is the most tragic truth of Australian history these past 233 years that we chose to avoid learning from those who knew better than Europe how best to care, respect and maintain our environment in land air and sea. The plight of the Murray Darling system is just one example, if the wind blown dust off the Mallee is not another however poorly remembered by those younger than my parents, back in the 1950s. With a history including the calling in of the army to wage war with Emu in western Australia, I am not sure we are much improved from this idiocy today. Farms in the desert are not a good idea, as the USA and Hoover dam now describe with clarity as lake Mead goes down to levels enforcing no watering of lawns and likely bankruptcies of agriculture in 3 states. If they, like us, do not go up in flames first.

**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?**

Yes, very much Yes. And the indigenous would be proud to protect and to enforce. Anywhere on land, river or sea.

**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?**

Yes again. Why should they not? The indigenous have loved this land with a loyalty beyond the brief memories of any nation in Europe by 60,000 years. Long beyond the European memory of Imperial Rome, and far further than either Egypt or Classic Greece. Why should they not be empowered to do what they have been fighting for since we got here?

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

See above. Yes.

**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?**

No. And only our ignorance is represented in the folly continued unabated since 1975.

**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?**

Semantics. We are either humane and caring or we are not. There is no half dead, half alive, or half brutal. No half virgin and half aware either. We are either ethical or we are NOT. Ethics defined as best practice to optimise the highest potential to living well and maintaining healthy vitality. Not

defined as stomping jack boots or gumboots through the fragility of the tiny. Like hot wheeling on beaches with 4 wheel drive, or killing off the understory of life to starve everything alive above it. Life grows from the bottom up, and NOT from an ignorant and poorly informed psychotic ape above.

**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?**

In Germany the word for Meat is the same one for Flesh. I shall simply state this as something to think about.

**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?**

Bogong Moth. Essential source of food for every creature living in the great dividing Range. Far more important than farmers with bad irrigation policy and habitual procedures for poisoning the soil which produces our food. What is wrong with healthy manure instead of chemical fertilisers? Why not mycellium assisted irrigation and feeding? Why unhealthy lowest common denominator food, requiring biosphere destroying organophosphates? Was not DDT sufficient lesson from the past? Have people forgotten that plants were looking after themselves with no help from us for half a billion years!?? Les work better reword, Surely that is an attractive bargaining chip.

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

The only fair game is the one species not endangered in population. Us. Unethical but nonetheless true. Not convinced that a right to shoot and kill defenceless creatures is something i would want culturally ingrained into my children. Seems like a raising of sadfists and brute savages with a void where once were some empathy. Is it so skilled and brave a thing to kill something with no ability to defend itself. If people want to kill things, damnit! sends them to one of several battlefields where their "Game" can shoot back. Prove they are not just cowards with guns. Zero tolerance. Unless under contract to accurately and with a single shot bring down feral boar, cat, dog (unless dingo), fox if these are causing survival risk where they are. accurate with a rifle to be able to kill a mouse from 100 metres. Otherwise, send them off the a UN peace keeping mission in Nth Korea, or in defence of Taiwan against the PRC, so proof of their courage can be as obvious as actual chance of death of them self. No one will convince me a duck hunter isn't a coward with a gun, and no legal right to shoot unarmed people, and possibly lacking sufficient ethics to be a policeman, if gun slinging is a passion. The USA ran out of real passenger pigeon and invented clay pigeon replacement. truly a history of shame.

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

Land confiscation to non-compliance. A bliby is threated, the land becomes property of the Crown.

**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. Unless we are too lobotomised by habitual ethanol consumption to notice we are in practice historically the worst plague weed species on the planet.

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

YEs Yes Yes. respect biodiversity before the capital gain. Ensure on forfeit of land if required that compliance with protection of species is TOP Priority and just below capital penalty for noncompliance.

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

No No No. Learn to live in harmony, cease poisoning soil with chemical fertilizer and killing the fungi so the need for pesticide becomes part of the addition to Monsanto and coy!! Be clever and no mice will plague us.

**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?**

All wildlife, with priority to native life. RSPCA consultation and true Marksmen and Women contracted to take out wild boar to save Cassowary, wild deer, goats, and in some circumstances Brumby along with feral cats, fox, rabbits, and humans with excess road kills. Okay, not the last point. (desexing by surgery, instead.)

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

WISDOM. Obviously and painfully lacking in US. Our European ancestry is more brutal and savage than cannibals and head hunters in primordial Sumatra.

**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?**

Lack of EMPATHY. Arrogant human conceit to a criminal degree.

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