

I love spending time in nature observing wildlife and have volunteered for environmental conservation activities for over 18 years. I am a Friend of Leadbeater's possum, a group advocating to protect the critically endangered Leadbeater's possum and Greater Glider. In addition to that I am a Board member of Gardens for Wildlife Victoria, trying to improve habitat for wildlife on private land throughout the state. I am making this submission because I feel the Act no longer reflects Community values and expectations, as well as best practice regulations.

1. Acts of cruelty towards wildlife - The protections are not adequate, nor the penalties fair. The rationale behind the penalty point system is difficult to understand – 20 for molesting wildlife, 25 for hunting illegally, 25 for removing sand without a permit, 60 for an animal rescuer entering the water before 10am (the shooting occurs primarily at dusk and dawn, so injured animals are left to suffer for several hours before they get any assistance)

In the case of the 420 poisoned wedge tailed eagles. It was the whistle blower manager, who received a short custodial sentence, the owner who instructed and paid for the activity just got a suspended sentence, even though the law had provisions for a substantial fine per animal killed.

2. The culling of wildlife – The Authority to Control Wildlife (ATCW) needs to be reformed so that clear principles are followed and there is far greater transparency, monitoring and enforcement, which actually protects wildlife not just regulates killing. In fact the agency needs a name change, which will hopefully change the focus from controlling to conserving, currently applying for a permit to kill wildlife is merely a form filling exercise. Permits to kill Black swans, wombats, turtles, satin bower birds, seals, even threatened species (such as the Brolga, Grey-headed Flying Fox, Hardhead, Magpie Goose, Broad-shelled Turtle and the Murray River Turtle) have been issued without the need for any evidence or proof.

- An independent body should issue permits.
- Evidence of damage done and animal numbers should be required.
- Proof of the prior use of non-lethal methods should be mandatory.
- Permits should be a last resort.

3. Recreational duck shooting – Another example of the Act no longer reflecting majority community values. The killing of our wildlife is no longer accepted as recreation or sport. Procedurally there needs to be more fairness -

- Shooters breaking the law have lower penalties.
- Wildlife rescuers are subject to much higher penalties.
- The requirements for proof of offence needs to be lowered (currently even multiple videos of the offence are not considered adequate)

4. An independent statutory regulator should be established to enforce, monitor and report on the administration of the Act, monitor decision making processes and report on outcomes, as well as a dramatic increase in penalties, including prison.

5. The Wildlife Act 1975 should be titled the Native Wildlife Act and should properly protect all native vertebrate fauna. It should include the obligation of the government to consider expert advice on administration of the objectives of the Act.
6. The Act allows wildlife to be declared as unprotected which, at one stage, had the perverse outcome of wombat shooting being promoted as a tourist attraction. The ability to declare any native wildlife species as “unprotected” should be removed.
7. Wildlife tourism – There is far greater economic benefit for local communities and better wildlife conservation, if tourism is encouraged, supported and given greater priority rather than activities like hunting, which maimed and kill wildlife and exclude the majority of the community from the enjoyment of public lands.
8. Biodiversity loss / Extinction rates –Our nature laws are not providing the desired outcome of the conservation and protection of biodiversity that they set out to achieve, they need to be strengthened and loop holes closed.
9. Wildlife Management Plan – This should not be about killing wildlife, instead a positive plan ensuring protection and safeguards.
10. Protections for exotic invasive species like deer need to be removed. A Senate inquiry has called on all states to register deer as a pest species – it’s definitely time to unprotect the estimated 1 million deer stomping and chomping across Victoria.
11. The Act needs to increase protections for wildlife and wildlife habitat by providing new tools such as “wildlife protection zones” and “wildlife protection orders” and by upgrading to legislation the current regulation that a person is “not to damage, disturb or destroy any wildlife habitat”.
12. Native timber harvesting operations should not be exempted from damaging, disturbing or destroying wildlife habitat. Those activities are causing serious harm to threatened species and the forest environment so many species of wildlife depend on to exist.
13. All native wildlife should be defined and protected as native wildlife, including our native ducks and quails, currently open for recreational hunting
14. Sentience of wildlife – It is widely accepted now that animals feel pain, fear and anxiety. Regulations need to recognise this and provide for protection for wildlife. Animals in cages, fish in glass tanks in homes, age care facilities and schools are all examples of cruelty to wildlife.
15. The idea of a “general duty of care” should be supported – a duty to “avoid harm” to wildlife could help to minimize incidences of wildlife being treated as collateral damage.