



Expert Advisory Panel's Review of the Victorian Wildlife Act 1975

Guide for stakeholders and community members



The *Wildlife Act 1975* promotes the protection and conservation of wildlife, the prevention of wildlife extinction, and the sustainable use of, and access to, wildlife. The Act also plays a central role in Victoria's legal framework for protecting and managing biodiversity. The Act has not been comprehensively reviewed since it became law more than 45 years ago, and is now outdated and out of step with modern best practice regulation. This review will provide recommendations to update the Act so that it provides a best practice regulatory framework, operates consistently with other legislation related to wildlife and reflects contemporary values and expectations.

Background

In May 2020, the Minister for Energy, Environment and Climate Change announced a review of the *Wildlife Act 1975*. This is part of a wider review of Victoria's legislative framework for protecting and managing biodiversity including review of the *Flora and Fauna Guarantee Act 1988*, native vegetation clearing regulations and reforms to Victoria's animal welfare legislation.

The expert advisory panel's review

An expert advisory panel (the Panel) has been appointed by the Minister for Energy, Environment and Climate Change to provide independent advice.

Members of the Panel are:

- Dr Deborah Peterson (Chairperson) is an eminent agricultural, environmental, and natural resource economist, with extensive experience working in the private and public sector.
- Associate Professor Ngaio Beausoleil is Co-Director of the Animal Welfare Science and Bioethics Centre, Massey University, New Zealand and an expert in wildlife welfare and ethics.
- Dr Jack Pascoe is a Yuiin man living in Gadabanut country with expertise in ecological research and experience working closely with Victorian Traditional Owners and Aboriginal Victorians.
- Emeritus Professor Arie Freiberg AM has extensive experience and expertise in regulatory reform and is Chair of the Victorian Sentencing Advisory Council.

[Find out more](#) about the Panel members.

The Panel will provide a report to the Minister on their findings, along with recommendations for reform of the Act, by August 2021.

Scope of the review

Based on its own expertise, research and the community engagement process, the Panel will examine:

1. whether the Act's objectives and scope are appropriate, comprehensive and clear.
2. whether the Act establishes a best-practice regulatory framework for achieving its objectives.
3. whether the Act appropriately recognises and protects the rights and interests of Traditional Owners and Aboriginal Victorians around wildlife and their role in decision-making.
4. the best way to encourage compliance with the Act, including whether offences and penalties under the Act are appropriate to punish and deter wildlife crime.

The Panel will consider:

- contemporary values and expectations around wildlife
- the need to protect and conserve wildlife and to prevent wildlife from becoming extinct
- interests in sustainable use of, and access to, wildlife
- the role of wildlife in the cultural practices and beliefs of Traditional Owners and Aboriginal Victorians
- the impact of wildlife on agriculture and other activities
- the impact of eco-tourism and other activities on wildlife
- the benefits of activities which foster an appreciation of wildlife
- emerging issues affecting wildlife protection and conservation, sustainable use and access
- any gaps or inconsistencies resulting from changes to other legal frameworks or policy settings
- insights from reviews of similar legislation
- the most appropriate and effective ways to encourage compliance with the Act and punish wildlife crime.



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The Panel will focus on the terms of reference. Some issues, although they may be important, will necessarily fall outside the scope of the review either because they are not central to the operation of the Act or because other reviews are already considering them.

Accordingly, the Panel will not consider:

- how DELWP and other responsible organisations administer the Act, including their policies, organisational structures and procedures
- the regulations under the Act
- topics regulated by other Victorian legislation or are covered by other legislative reform projects, such as:
 - arrangements for declared wildlife emergencies, such as whale entanglements, bushfire and marine pollution regulated under the *Emergency Management Act 2013*
 - cruelty offences that are part of the current reform of Victoria's animal welfare legislation
 - land classifications (State Wildlife Reserves and other categories, Parts II and V of the Wildlife Act) which are being considered as part of the Victorian Government's proposed reforms for public land legislation.

The Panel has not been asked to consider whether the current range of activities permitted by the Act should or should not be changed.

The Panel acknowledges that there may be occasions where a stakeholder or member of the community raises issues in their submission outside the Panel's terms of reference. Where appropriate, the Panel may bring these submissions to the attention of the Department of Environment, Land, Water and Planning for further consideration.

Principles to guide the Panel's review

We understand that our community and stakeholders have a wide range of views on matters covered by the Wildlife Act. That's why we're inviting you to have your say and share your thoughts.

The Panel will engage extensively by:

- seeking advice and input from the general community, Traditional Owners and Aboriginal Victorians, key interest groups, government bodies and relevant experts
- considering and reporting on the views and information provided in consultations and submissions.

The Panel will be guided by these principles:

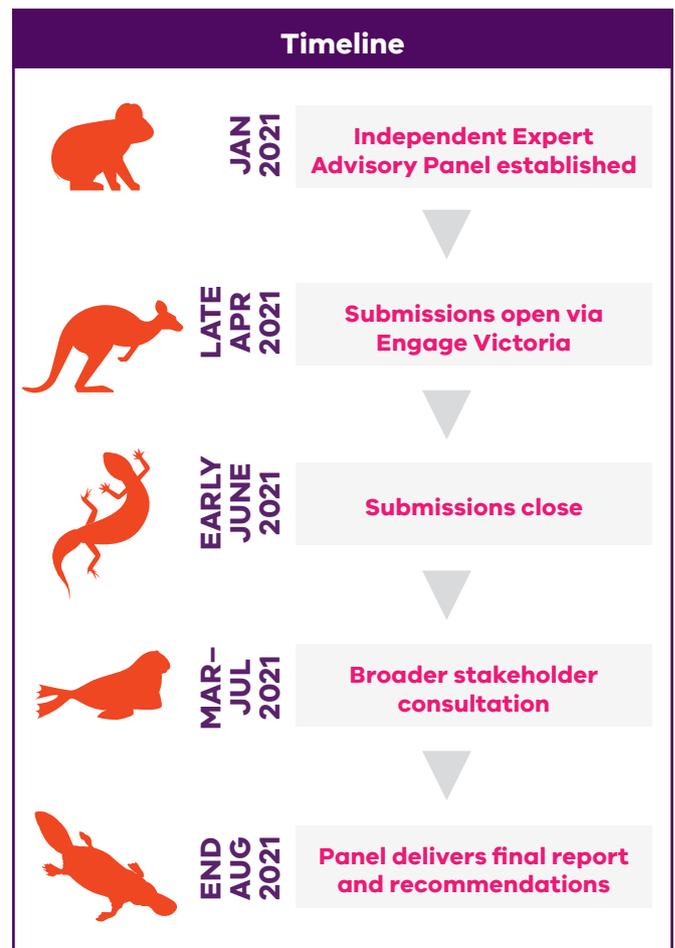
- **Transparency** - we will be clear about the issues we see, the potential solutions and the reasons for our recommendations. Our advice to government, and the information and analysis on which that advice is based, will be open to public scrutiny upon release of the report by Government.

- **Inclusiveness** - our processes will facilitate input from all interested parties and we will provide a wide range of engagement opportunities to encourage participation. We will engage with respect for all parties and listen with intent.
- **Independence** - we will operate at arms-length from government and provide evidence-based advice considering the interests of the Victorian community as a whole.

How you can participate

We want to hear from you. Consultation is now open on [Engage Victoria](#), where you can obtain a copy of the issues paper and provide:

- a general comment on any issue within the scope of the review
- a submission to the review.



Further Information

More information is available [online](#) or contact the [Panel Secretariat](#)

