

Submission  
No 245

**INQUIRY INTO HEALTH AND WELLBEING OF  
KANGAROOS AND OTHER MACROPODS IN NEW SOUTH  
WALES**

**Organisation:** Animal Wellness Action

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# Submission to the inquiry into the health and wellbeing of kangaroos and other macropods in New South Wales

## Animal Wellness Action Animal Wellness Foundation

April 26, 2021

Animal Welfare Action and sister Animal Wellness Foundation (collectively AWA) are Washington D.C.-based animal advocacy organizations that contend kangaroo products exported to the United States of America (U.S.) cause serious animal welfare, conservation, and public policy impacts. Our “Kangaroos Are not Shoes” campaign is focused on the international trade of kangaroo leather imported into the United States, the second largest market in the world for kangaroo-based soccer cleats made by Nike, Adidas, Puma, and other athletic shoe brands. Landholder intolerance and the profit motive derived from the trade in skins and meat fuel kangaroo killing.

In 1974, the Red kangaroo (*Macropus rufus*), Eastern Grey kangaroo (*M. giganteus*) and Western Grey kangaroo (*M. fuliginosus*) were listed as “Threatened” in the U.S. Endangered Species Act and a ban of kangaroo imports went into effect. A U.S. Fish & Wildlife Service document noted, “*species such as kangaroo, which have a high commercial value and which have been and are being exploited heavily, must be regarded as species that are apt to become endangered unless adequate controls exist. Such species should be considered ‘Threatened’ species as defined by the Endangered Species Act of 1973*”.<sup>1</sup> The federal ban was subsequently lifted in 1995, yet a similar state ban remains in place in California<sup>2</sup>. The AWA believes it is time to reinstate a national ban on kangaroo products and supports the Kangaroo Protection Act, H.R. 917, currently before Congress.

### Exports of kangaroo products to the United States

Because the state of New South Wales (NSW) operates a commercial kangaroo industry, products made from kangaroos shot and killed in NSW are of great concern to the AWA. While each state that permits the commercial killing of kangaroos has a responsibility to regulate the kangaroo industry, it is the Commonwealth that regulates the export of kangaroo products through the Environment Protection and Biodiversity Act of 1999 (EPBA Act). Part 13A of the EPBC Act regulates the international movement of wildlife specimens.

Section 303DD states that it is an offense to export wildlife specimens without a permit, and such a permit may be issued where exporting is in accordance with an approved plan. The Commonwealth Minister is responsible for the approval of state kangaroo management plans that allow for kangaroo products to be exported. The accreditation of wildlife trade management plans is provided for under Section 303DD (3) that permits kangaroo products to be exported in accordance with those plans. Section 303FP provides conditions for approval, and Section 303FO

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<sup>1</sup> US Fish & Wildlife Service. 1974. Rules and Regulations. [https://ecos.fws.gov/docs/federal\\_register/fr39.pdf](https://ecos.fws.gov/docs/federal_register/fr39.pdf)

<sup>2</sup> Kangaroos at Risk (2015) [www.kangaroosatrisk.org](http://www.kangaroosatrisk.org)

provides additional conditions. The state wildlife trade management plans must be consistent with the objectives of Part 13A, and they must not cause detriment to the species subject to the plan. The AWA is not convinced that this is occurring and holds serious concerns regarding the populations of commercially harvested species of kangaroos in NSW.

### **Conservation**

As population estimates are fundamental in determining the following year's commercial kill quota, it is critical that the information and methodology used is robust and verifiable. The AWA and the American public have concerns regarding the accuracy and transparency with which population estimates and quotas are calculated. New South Wales submitted quota reports for 2020 and 2021 in accordance with the EPBC Act. New South Wales reported the total estimated population of kangaroos in its "commercial harvest zones" was 14,022,150 and proposed a quota of 2,126,176 and a special quota of 210,332<sup>3</sup> kangaroos permitted to be killed.

In 2019 the aerial survey covering 51,862 square kilometres was conducted across the Northern Tablelands commercial zone. In total 508 wallaroos were sighted (the raw count)<sup>4</sup>. After the application of several statistical models and techniques including a correctional factor of 1.85 and "bootstrapping," the 2019 wallaroo population estimate was 296,555 — based on the sighting of 508 individual wallaroos<sup>5</sup>. The AWA is concerned this kind of extrapolation, occurring across NSW and the rest of Australia, greatly inflates the estimated population to make commercial killing of kangaroos appear sustainable.

In NSW, the commercial harvest was suspended in the Tibooburra and Cobar zones in 2019 and 2020 due to low kangaroo numbers. However, in 2021, the estimated population of Red kangaroos had increased by a biologically impossible 153% in Tibooburra and 184% in Cobar. Grey kangaroos (eastern and western) also supposedly increased by a biologically impossible 504% in Cobar<sup>6</sup>. It would be difficult to tell from the air the difference between eastern and western grey kangaroos so we are not convinced that the numbers are accurate and reflect the real world numbers of kangaroos.

Many countries including the United States, South Africa and Kenya are using remote sensed or satellite airborne methods to provide animal population estimates. Due to the lack of imagery used to verify any of the aerial surveys of kangaroos in NSW, there is no supporting information to verify the estimates. This results in a significant mismatch between population estimates and quotas which the AWA believe is putting kangaroos at risk.

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<sup>3</sup> NSW and Department of Planning, Industry and Environment, 2020 Quota Report.

<sup>4</sup> Portfolio Committee No. 7 - Planning and Environment, Tuesday, 2 March 2021 Examination of proposed expenditure for the portfolio area Energy and Environment

<sup>5</sup> Portfolio Committee No. 7 - Planning and Environment, Tuesday, 2 March 2021 Examination of proposed expenditure for the portfolio area Energy and Environment

<sup>6</sup> NSW and Department of Planning, Industry and Environment, 2020 Quota Report.

While kangaroos and other species were being killed and displaced by last year's catastrophic bushfires, the commercial kangaroo industry continued killing kangaroos in most harvest zones across NSW.

### **Kangaroo welfare**

The EPBC Act is primarily an environmental statute. However, the animal welfare impacts of the kangaroo management plans are significant both for adult kangaroos not instantly killed, and for dependent young, who may suffer inhumane deaths. The legislation does not currently adequately address or prevent this cruelty. The AWA is concerned with the immense scale of kangaroo shooting in Australia. The AWA estimate that two million kangaroos and their young (joeys) are killed for commercial purposes each year in Australia. This is ten times bigger than the notorious Canadian seal hunt and a thousand times bigger than the Faroe Island Pilot Whale hunt, both of which draw worldwide condemnation. Shooters target kangaroos at night in rural areas with spotlight and rifle. They attempt to shoot kangaroos in the head from as far as 200 meters away where their vision can be obscured by vegetation. Studies calculate that as many as 40% of kangaroos are "mis-shot" and wounded with some escaping, not to be tracked and killed<sup>7</sup>. Furthermore, up to 25% of kangaroos hit with a single shot to the head still showed "signs of life" (e.g., tried to flee as the shooter approached)<sup>8</sup>.

The National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes (Code of Practice) is largely a collection of idealized principles and aspirational best practices left up to voluntary adoption. Only on-site, contemporaneous monitoring can determine a shooter's compliance with the Code of Practice. The AWA understands monitoring for animal welfare at the point of kill in rural areas does not occur, and that most compliance concerns paperwork completion<sup>9</sup>. Contrary to the claims of the government that the industry is strictly regulated, the AWA believes the Code of Practice is useless without enforcement, mainly serving as a public relations tool for "humane washing" the industry.

In addition, the Code of Practice stipulates if dependent young are found in the pouch or at the foot of a slain mother kangaroo, the joey is to be killed by blunt force trauma to the brain, typically accomplished by smashing his or her head. The "humane killing" of pouch young is not credible, and illegal if performed on a puppy in the U.S. (a felony offense on all but a few states). The AWA calculates that nationally some 400,000 joeys each year are either bludgeoned to death or remain behind to succumb to exposure, starvation, or predation. Since shooting kangaroos creates this welfare disaster, the logical step is to outlaw or drastically reduce the number of kangaroos killed.

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<sup>7</sup> Ben-Ami D, Boom K, Boronyak L, Townend C, Ramp D, Croft D and Bekoff M. 2014. The welfare ethics of the commercial killing of free-ranging kangaroos: an evaluation of the benefits and costs of the industry. *Animal Welfare* 1, 5.

<sup>8</sup> Response to the Kangaroo Industries Association Australia Information Pack by Eurogroup for Animals October 2020

<sup>9</sup> NSW KMP Meeting Minutes 3/4/2019

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Wildlife-management/Kangaroo-management/Advisory-committee-minutes/minutes-of-kangaroo-management-advisory-panel-meeting-april-2019.pdf?la=en&hash=F52BD55E2575A36B7F0967857B59D8A97ABD2980>

During its most recent revisions to the Code of Practice – the first re-examination in 12 years – the government through its agency Agrifutures Australia sought and received input from animal welfare organizations. Yet the government misrepresents consultation with support of the Code of Practice. Though involved in the revision process, neither the RSPCA nor Animals Australia endorse the commercial killing of kangaroos in the manner industry and government keep repeating.

A report by Sharp and McLeod on the 2020 revisions to the Code of Practice clarifies the positions held by the animal welfare groups. On the killing of joeys, for example, the RSPCA Australia states, “In our view, the only solution to totally avoid the potential of cruelty to pouch young is not to shoot females at all.” And Animals Australia offers, “...the long-standing issues and indisputable cruelty and ethical issues associated with the killing of female kangaroos can only be solved by prohibiting the slaughter of females, i.e., 'shooters must avoid shooting female kangaroos or wallabies where it is obvious that they have pouch young or dependent young at foot. Such a prohibition should be explicitly included in the Code and be a mandatory requirement with severe penalties attached for any breach.”

Animal advocates and conservationists in Australia and around the world have an important role to play in educating the public about the treatment of kangaroos in Australia and many are taking it. Increasingly in the U.S., there is a rising consciousness around the ethics of killing wildlife to protect special interests (wolves and the livestock industry, for example) with declining public support for lethal removal in favor of solutions that work simultaneously to protect agriculture and wildlife. The AWA envisions a future that fosters peaceful and mutually beneficial coexistence between people and kangaroos, by attending to the wellbeing of local communities and ensuring humane and just treatment of kangaroos and other wildlife.