

Submission
No 349

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

Name: Name suppressed
Date Received: 5 April 2021

Partially
Confidential

I am absolutely disgusted by the number of kangaroos being hunted and shot. Hunters are using the bush fires to their advantage because it was easier to find the bushfire surviving kangaroos amongst the burnt landscape.

These beautiful animals survived a bushfire, and now they had been shot and killed. For what? Some of the kangaroos currently in rescues were shooting orphans. They all lost their mothers that way. The trauma it inflicts on the joeys left behind is indescribable. And they're the lucky joeys who were rescued. So many others face horrible deaths.

I feel it is your duty as a Government to enforce and ensure the safety of these beautiful creatures, which are already in decline due to the bushfires.

Please do something about these shooters, they will continue to destroy and threaten the safety of kangaroos and other macropods, unless stopped by you; the Government.

I have included some indepth, factual recommendations and information.

Thank you for your time

Commercial exploitation and shooting as a driver of biodiversity loss

All of the UN and other global reports that deal with the issue of biodiversity loss identify the wildlife trade and the hunting, shooting and poaching of wildlife as a major driver of biodiversity loss.

This issue has not been raised let alone addressed in any of the many federal and state government inquiries and reports that have dealt with the extinction crisis, biodiversity loss and species decline in Australia.

In our view, the failure to acknowledge the role of the widespread use of lethal force in the “management” of wild species (and particularly common species) represents a significant blind spot in the current analysis of what is driving biodiversity loss in Australia.

In this submission, we examine how over two centuries of historical eradication and extermination programs, the fur trade and uncontrolled killing of wildlife has been a significant contributing factor to extinctions of and declines in many species of macropods.

We also examine how the Wildlife Act which purports to provide legal protections for wildlife in Victoria continues the large scale destruction of kangaroo species through DELWP’s administration of the non-commercial ATCW “damage mitigation” permit system and the commercial slaughter of kangaroos for meat and skins.

Biodiversity loss in Victoria

The most recent State of the Environment report for Victoria (SOE) released in March 2019 documented significant declines in Victoria’s ecosystems and in both faunal and floral species native to Victoria.

The SOE report also confirmed that:

- More than half of the state's native vegetation had been cleared since European settlement;
- Many native plant and animal species were at risk from a range of threats and pressures; and
- Climate change was having an increasingly deleterious effect on Victoria’s environment-generating more extreme weather, less rainfall and snow cover, warmer sea surface temperatures, rising sea levels and the threat of greater bushfires-all of which directly and indirectly impact biodiversity.

Biodiversity Loss-Impact on Macropods

According to the WWF Action Plan 2011-2021, seven extinct since European settlement (Burbidge et al 2009).

8 of 35

species of macropod have become

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

A further ten species of macropod that were once widespread are now extinct on the mainland.

All other macropod species have suffered dramatic reductions in their ranges and distributions.

A disproportionately high number of kangaroo (macropod) species are at risk of extinction across Australia. 76 species of macropods are listed or currently in the process of being listed on the IUCN red list. More than 50% of these are listed as threatened with extinction.

In Victoria, seven of the sixteen species of macropod that existed at the time of European settlement are now extinct. Four further macropod species in Victoria are listed as endangered (Australian Wildlife Protection Council 2016).

The loss, degradation and fragmentation of native habitat and the impacts of introduced predators are, without doubt, the major drivers of extinction and species decline of the smaller species of macropod. Other submissions may address these issues.

In this submission we focus on the threats to the large common species of kangaroo- Victoria’s populations of Red, Western and Eastern Grey kangaroos.

In particular, we question why it is that despite suffering significant reductions in numbers, range and distribution of up to 60% (when compared to historical distribution records) and at a time accelerating biodiversity loss and increasing threats, the state government maintains its support for a permit system that allows large numbers of these species to be shot and killed under ATCW permits and for profit through the Victorian commercial kangaroo meat and skins industry.

The importance of “common species”

By focussing almost exclusively on the conservation of rare and endangered species, current legislation and conservation efforts in Victoria have ignored the central role of “common species” to the health, well-being and persistence of many of Victoria’s ecosystems.

There is a growing body of scientific research and data that indicates common and widespread species are of critical importance to the structure and effective functioning of biological communities (Gaston, Fuller 2007) (Gaston 2010)(Gaston 2016) and are of significant conservation concern because:

- There is growing evidence that large numbers of presently common and widespread species are undergoing massive declines, with major ramifications for ecosystem functions and services, and potentially for many other species.
- The processes that underlie these declines are intensifying in many regions of the world through deforestation and urban development and come at a time of accelerating climate change, exacerbating species declines.

While there is a widespread public perception that common species are more resilient than others and are less at risk of decline and extinction, emerging scientific research says otherwise.

In fact, local extinctions of common species can happen very quickly, as occurred when an entire greater glider population in South East Australia disappeared in under three years despite regular observation and monitoring by researchers (Lindenmayer 2011).

9 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

Conservationists are increasingly concerned about this very thing-the rapid and large scale losses of common species across the planet and the implications of those losses to entire ecosystems.

These concerns have been confirmed by the findings of two large studies carried out in the last 5 years that found one-third of the 27,600 land-based mammal, bird, amphibian and reptile species studied had declined significantly both in terms of their numbers and territorial range, resulting in extensive local extinctions (Ceballos et al 2016/Ceballos et al 2020) (“The Ceballos reports”).

The Ceballos reports describe alarming evidence that globally, populations of species generally thought to be common, are declining at a rate and on a scale that the authors describe as “biological annihilation” based on the following findings:

• • • • •

The Victorian government has recognised the importance of common species and the need to move towards broader scale “landscape level” threat management benefitting multiple species in its own strategic biodiversity plan “Protecting Victoria’s Environment-Biodiversity 2037” and in the amendments made to the FFG Act in 2019.

This recognition, however, has not extended to ensuring that the Wildlife Act-the legislation that governs the protection of common species-reflects these same strategic conservation goals.

LEGAL FRAMEWORK GOVERNING WILDLIFE IN VICTORIA

The principal piece of legislation dealing with biodiversity conservation in Victoria is the Flora and Fauna Guarantee Act 1988.

The Wildlife Act 1975 establishes a separate legislative regime for the protection and conservation of fauna.

Both Acts are administered and managed by the Department of Environment, Land, Water and Planning (DELWP).

As the status of a species changed from common to being on the brink of extinction, its gradual loss brought pressures to bear on other species with which it interacted;

The loss of so many populations had caused major changes in the ecosystems they had inhabited and had contributed to the extinction of other species in those ecosystems;

The losses of common species had triggered extinction cascades and the substantial alteration of ecosystems structure and function;

The wildlife trade (both legal and illegal) was decimating many endangered species and was a major cause of the population declines of common species. The magnitude of the extinction crisis at both species and population levels highlighted the extreme urgency of taking action to save wild species from this existential threat. There was an urgent need for a balanced consideration both of common and rare species and that conservation efforts need to be re-assessed orientated to both prevent the loss of rare species and to avoid the depletion of common species.

KANGAROO KILLING IN AUSTRALIA

The history of kangaroo killing in Australia

In order to provide background and context for the development of the Wildlife Act and the ATCW permit system in Victoria, we review the long history of kangaroo killing in Australia.

Current Commonwealth and state-based wildlife protection laws (including the Wildlife Act in Victoria) came into operation in the mid 1970's in response to evidence presented by the CSIRO to a Senate Inquiry in 1973 that decades of uncontrolled hunting and shooting had resulted in red kangaroos being at risk of extinction (Senate report-Kangaroos 1973 and 1988).

Until that time, kangaroos were the target of large scale government-funded eradication and bounty programs, fur trading and uncontrolled shooting across Australia.

These extermination programs, the use of bounties and an unregulated fur trade devastated Australia's wild animal and bird populations and contributed to a number of extinctions.

The following extracts from the available historical records serve to illustrate the extent of the slaughter and the devastating impacts on many macropod species (Boom, Ben-Ami 2010):

- 1788-Early settlers used kangaroos for meat initially but once livestock was established, kangaroos mainly hunted and killed for sport.
- 1840s-Eastern grey Kangaroos in NSW and reduced to low numbers by large-scale killing
- 1887-1907-Eight million kangaroos and wallaroos killed for bounties in Queensland.
- 1880s-All states in Australia introduced legislation to eradicate all kangaroos and wallabies.
- 1884- Bounties paid for 250,000 kangaroo scalps and 86,000 red-necked wallabies in NSW.
- 1880s-NSW declared kangaroos and wallabies "vermin" and bounties were offered for each head.
- 1883-1920-Three million bettongs and potoroos were killed for bounties-All these species were nearly wiped out. Three of these species are now extinct.

12 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

- 1884-1914-640,000 brush-tailed rock wallabies were killed for bounties. This species is now listed as vulnerable in NSW.
- 1935-1936 (1 year) 1.25 million red kangaroo skins were traded from WA into the Sydney skins market.

Kangaroos were not the only native species that were decimated by these programs and the fur trade. Wombats, dingos, wedge-tailed eagles, emus were shot and poisoned on an industrial scale. Possums too. In 1906 alone 4 million brush tail possum skins were marketed in New York.

No native animal was spared. Koalas were nearly hunted to extinction. Between 1888 and 1927, approximately 8 million were killed for the fur trade.

Nearly a century later the consequences of this slaughter can still be seen with current koala populations estimated to be 1% of their pre-settlement numbers and facing the very real threat of extinction within the next 20 years.

Kangaroos as pest animals

Underlying the government-supported and financed extermination of kangaroos and other macropods across Australia was the designation of kangaroos (among other species) as agricultural “pests”.

The use of the label “pest” has been a powerful weapon in the rural sectors propaganda war against kangaroos.

Over the past two centuries, farmers and landholders have consistently claimed that kangaroo numbers are “out of control” and require “management” to prevent them from competing with stock for water and pasture and damaging agricultural properties.

This aggressive and persistent misinformation campaign has been very successful in influencing governments and public opinion of the need for “management” of their numbers through lethal control.

Extensive scientific evidence published by the governments own scientists and researchers over the past 20 years confirm there is little if any scientific validity to any of these claims.

For example, it is not biologically possible for kangaroo numbers to “explode”:

- Kangaroo abundance is primarily regulated by natural processes-particularly the amount of rainfall in any year-which determines the availability and quality of feed and nutrition as well as other factors such disease, and predation (e.g. by dingoes and foxes)
- Kangaroos are slow-growing with males taking up to 5 years to reach sexual maturity and females taking up to 3.5 years (Dawson 1995)
- Kangaroos have relatively low reproduction rates (about the same as koalas at one per year) and high juvenile mortality rates (70% in the first year under normal conditions (Arnold 1991) and up to 100% under drought conditions) (Shepherd 1987).

There is also no scientific basis for the claim that kangaroos eat and destroy crops. Research has instead confirmed that wheat crop damage was overstated and that in any case,
13 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

kangaroo killing largely takes place in regions which do not produce crops (Arnold CSIRO: 1980).

Again, there is no substance to the claim that kangaroos compete with stock for water or pasture and/or damage grazing lands.

Research by the governments own scientists has confirmed:

- That kangaroos do not compete with sheep for pasture or have a significant impact on wool production (Olsen and Braysher 2000) and
- That there is no correlation between kangaroo control and damage mitigation on pastoral properties or the landscape generally (Olsen and Low 2006; Olsen and Braysher 2000; Herbert and Elzer 2011; S McLeod: Edwards, Croft and Dawson).

As far as the claim that kangaroos damage fencing and other agricultural assets is concerned, in its 1988 report the Senate Select Committee into Animal Welfare noted graziers nearly always mistakenly attributed damage done to pasture and fencing by other animals, by insects and by weather events to kangaroos.

The first attempt to properly investigate and properly assess these claims did not occur until 2004. That analysis found that claims by the pastoral industry of the costs of damage caused by kangaroos were significantly overstated and that kangaroos in fact had a very low monetary impact on the agricultural sector (R. McLeod 2004).

The overstatement of kangaroo impacts by farmers and landholders was again confirmed in a 2011 report commissioned by the National Farmers Federation which forced it to revise its own estimate of the economic impact of kangaroos on the rural sector across Australia down from \$200 million pa to \$44 million pa (Sloane Cook and King Pty Ltd 2011).

Despite being discredited, DELWP still relies heavily on these unsupported arguments to justify its kangaroo management programs including both the ATCW permit system and the commercial slaughter of kangaroos.

KANGAROO KILLING IN VICTORIA The ATCW permit system

S28A of the Wildlife Act allows landholders to apply for permits to kill wild animals and birds which they claim are causing damage to their property or are having a financial impact on their business.

The scale of the killing

According to data published by DELWP on its website, a large and increasing number of wild animals and birds are killed in Victoria under ATCW permits every year.

That data shows that in the 10 years between 2009 and 2019 (last reported figures), the total number of animals and birds (including all species) killed under ATCW permits in Victoria was a staggering 1,702,372.

The vast majority of animals killed under these permits are kangaroos. DELWP's published data shows that since 2009 a total of 1,143,399 kangaroos have been killed under ATCW permits.

The species subject of lethal control under these authorisations are many and varied. For example, in 2019, a total of 188,759 wild animals and birds consisting of the following species were authorised by DELWP for control:

Fur Seal (45) Australian Magpie (260) Australian Magpie Lark (41) Australian Pelican (10) Australian Raven (3152) Australian Shelduck (348) Australian White Ibis (495) Bell Miner (50) Black Kite (20) Black Swan (500) Black Wallaby (1028) Black-faced Cuckoo-shrike (90) Cape Barren Goose (265) Chestnut Teal (330) Brushtail Possum (32) Long-necked Tortoise (100) Wombat (3655) Crimson Rosella (460) Eastern Grey Kangaroo (112477) Eastern Rosella (272) Emu (966) Eurasian Coot (500) Fairy Martin (14) Fallow Deer (1700) Galah (2681) Great Cormorant (140) Grey Butcherbird (1) Grey Teal (160) Grey-headed Flying-fox (6604) Hog Deer (39) Koala (100) Little Black Cormorant (30) Little Corella (6919) Little Pied Cormorant (140) Little Raven (678) Long-billed Corella (3790) Lowland Copperhead (100) Maned Duck (3492) Masked Lapwing (191) Musk Lorikeet (1365) Noisy Friarbird (170) Noisy Miner (242) Pacific Black Duck (510) Pied Currawong (445) Rainbow Lorikeet (620) Red Deer (1260) Red Kangaroo (10073) Red Wattlebird (460) Red-necked Wallaby (113) Sambar (2274) Satin Bowerbird (60) Silver Gull (440) Silveryeye (226) Straw-necked Ibis (50) Sulphur-crested Cockatoo (4570) Tiger Snake (101) Welcome Swallow (15) Western Grey Kangaroo (13952) White-faced Heron (10) White-winged Chough (8) Yellow-tailed Black Cockatoo (1).

We have highlighted the macropod species authorised for lethal control. At a total of 137,643 animals, macropod species represented 72% of all native animals killed under permits in 2019.

These figure DO NOT include the 60,000 kangaroos allocated for commercial slaughter under quotas set by DELWP in the Victorian Kangaroo Harvest Management Plan for 2019- 2020.

We have attached a copy of the available data showing the numbers and species subject of lethal control in Victoria between 2009 and 2019 as art of this submission.

15 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

It is important to note that because there is no oversight of shooters activities (including at the point of kill) and there is no requirement for shooters to provide "returns" documenting and verifying the numbers of animals killed, it impossible for DELWP to ensure that landholders do not overshoot or kill more animals than nominated in their ATCW permits

The ATCW data and figures provided by DELWP are not therefore an accurate assessment of the numbers of animals and birds killed under ATCWs.

DELWP acknowledges as much in its own commercial kangaroo harvest report for 1/10/19- 30/12/20 (online):

"It is important to note that the ATCW figures reported...are numbers of kangaroos approved for control during this period – not kangaroos actually controlled. There is no reporting of kangaroos controlled under ATCWs issued for private land, unlike for the Kangaroo Harvesting Program, so actual figures controlled are generally unknown."

The lack of oversight of shooters activities through inspections and the requirement for returns is a central failing of the ATCW permit system.

This raises a critical question-if DELWP do not know how many animals are actually being killed under these permits, how can it be confident that these activities are “sustainable” and do not pose a threat to local kangaroo populations?

The answer is, it cannot be.

Significant issues with the administration and operation of the ATCW permit system

ASK has identified multiple factors that contribute to DELWP’s poor management and administration of the ATCW permit system. These factors include:

- Weak institutional capacity;
- High levels of industry or regulatory capture by farmers and land holders;
- Poor co-ordination across DELWP regions
- Low levels of compliance activity
- Almost non-existent enforcement activity
- Lack of accountability and lack of transparency.

Specifically, we identified the following broad categories of failures in the Wildlife Act and in DELWP’s management of the ATCW system:

Structural failures in the design and operation of the Wildlife Act

The Wildlife Act has been in operation for 45 years. It has never undergone any significant review or amendment despite the dramatic increases in the threats to biodiversity that have developed in the intervening decades.

Unlike the FFG Act, there has been no attempt to amend the Wildlife Act to bring it into line with best practice global conservation and wildlife protection goals such as the principles of ecologically sustainable development (ESD), including:

16 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

- The principle of sustainable use;
- The principle of integration;
- The precautionary principle;
- The principle of inter-generational and intra-generational equity;
- The conservation of biological diversity and ecological integrity.

The Wildlife Act institutionalises the fundamental (and unmanageable) conflict of interest between DELWP’s role as the agency responsible for the protection of the state’s wildlife and its role as the regulator of the lethal control of wildlife.

The Wildlife Act also confers an unfettered discretion on DELWP in relation to all critical decision-making under the Act, including in the administration of the ATCW permit system.

That discretion is exclusively exercised in favour of the interests of farmers and landholders over the interests of either the animals themselves or the interests of the broader community in protecting and conserving local wildlife populations.

The broad discretions under the Act makes legal challenge (through judicial review) almost impossible. Other challenges relate to the prohibitive legal costs involved and the issue of standing and adverse costs order (Australian Society for Kangaroos v Secretary DELWP and anor (No 2) [2018] VSC 407)

There is also no provision either internal/informal review or for third party rights of appeal under the Act including access to low costs merits review at VCAT for those affected by decisions made under S28 A (other than some very limited categories of rights of appeal set out in S86 C).

Failures of governance

DELWP relies on a fragmented, decentralised model of governance which generates inconsistencies in the levels of regulation and standards applied from region to region.

Decentralisation also contributes to already significant issues relating to DELWPs lack of accountability and its lack of transparency in the provision of information under FOI laws or otherwise.

As indicated earlier DELWP claims to be committed to “evidence-based” decision-making and yet continues to rely on discredited, unsupported or incorrect assertions and out of date research to justify its policy positions, management practices and decision-making in relation to lethal wildlife control and kangaroo management.

There is no system of audits, evaluation or reporting in place to determine if the use of lethal control under ATCW permits is actually achieving the stated objective of mitigating damage to agribusiness.
17 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

Lack of transparency and accountability is also a significant issue with DELWP publishing very little information in relation to any aspect of the ATCW permit system apart from general data relating to how many permits are issued. In our experience, DELWP make obtaining access to any more detailed information under FOI very difficult despite a 2012 investigation and review of its processes by the Victorian Auditor General’s Office.

Failures of implementation

The ATCW permit system relies entirely on self-assessment and self-regulation by landholders and shooters.

Other than applications that DELWP deem to be “high risk” DELWP do not carry out inspections of applicant’s properties to verify assertions made in ATCW permit applications.

Self-assessment, without any requirement to provide corroborating evidence, is accepted in relation to the following matters:

- The extent of the damage applicants allege wildlife are doing to their properties;
- That it is in fact wild animals or birds that are causing the damage (as opposed to non-native animals);
- The number of animals for lethal control, using “best estimates”;
- That non-lethal methods of control have failed to address the “problem”.

The lack of rigour in the application process extends to DELWP’s monitoring and compliance activities.

The ATCW permit system does not include a robust system of independent inspection, monitoring and reporting nor any oversight at the point of kill.

Proper oversight is critical for DELWP to be satisfied that the conditions under which the ATCW permit are being complied with and that breaches including cruelty offences, overshooting and other practices which threaten kangaroo populations are detected;

There is almost no enforcement of the conditions of permits. On the rare occasions when offences are detected, enforcement measures are inadequate and prosecutions rare. In any case, the penalties available under the Wildlife Act are minimal and not effective in deterring wrongdoers. The weaknesses we have identified in the ATCW permit system are even more evident in DELWP’s oversight of for profit exploitation in Victoria’s recently created permanent commercial kangaroo industry.

The commercial kangaroo meat and skins industry

The commercial kangaroo meat and skins industry represents the largest slaughter of land- based wildlife in the world.

18 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

Based on figures provided by the Commonwealth government since 2000, an average of over two million kangaroos per year have been shot by commercial shooters (Croft, Ramp, Townend, Boronyak 2019).

These figures do not include an estimated 500,000 dependent joeys that are shot, have their necks broken, are bashed to death or decapitated and discarded as “by catch” of the kangaroo industry every year (Ben-Ami, Boom, Boronyak 2014).

There are significant issues raised by the commercial slaughter of millions of kangaroos across Australia every year. These include not only the very significant concerns relating to cruel practices involved especially in the destruction of dependent young but also the potential threat this industry poses to the viability of kangaroo populations during times of drought and population declines. We do not deal with those issues in detail in this submission but we are happy to provide further evidence regarding these matters, if requested.

The development of the commercial kangaroo industry In Victoria

Victoria previously attempted to establish a commercial kangaroo meat and skins industry in the early 1980s.

The Commonwealth Agriculture Department’s website contains archived records that indicate quotas were set at 30,000 in 1981 and 31,500 in 1982.

The industry was both disastrous and short-lived due to over-exploitation and a lack of regulatory oversight.

The then state government abandoned the industry after a ground survey conducted by CSIRO researchers in 1982 revealed that in just 2 years, shooters had reduced kangaroo populations to “quasi-extinct levels” of below 1 per square kilometre across 85% of Victoria (Short, Grigg 1982).

The Kangaroo Pet Food Trial 2014-2019

After years of political pressure from the Victorian Farmers Federation (VFF) the then Victorian government introduced a quasi-commercial kangaroo industry through the Kangaroo Pet Food Trial (KPFT) in 2014. This “trial” ran between 2014 and 2019.

Fraud and overshooting in the KPFT

- A 250 % increase in the number of kangaroos killed under ATCW permits in Victoria;

Despite DELWP’s claims that it was closely monitoring the KPFT, an evaluation of the trial in 2018 found evidence of widespread fraud, corruption and over-shooting (DELWP-Kangaroo Pet Food Trial Evaluation-Summary Report 2019).

The findings of the evaluation report included:

- Evidence of shooters encouraging landholders to apply for authorisations by actively filling in application forms;
- Evidence of kangaroo shooters exaggerating the scale of the kangaroo problem or suggesting landholders apply for larger numbers than necessary;

19 of 35

Despite this clear evidence of fraud, corruption and overshooting and the potential risks these activities posed to kangaroo populations, DELWP proceeded with its plans to establish a fully operational commercial kangaroo industry in Victoria in 2019 without any public consultation.

Victorian Kangaroo Harvest Management Plan

The Victorian Kangaroo Harvest Management Plan (VKHMP) was established on 1/10/19 as a “recognised wildlife management plan” under S28 A (1) (h) of the Wildlife Act.

Under the VKHMP, DELWP retains control over setting of quotas, but has delegated responsibility for its implementation and governance across 4 other state government departments and agencies.

Responsibility for compliance and enforcement was delegated to the Game Management Authority (GMA).

The GMA was the subject of a damning Pegasus Economics report in 2017 which found that the GMA was neither a credible nor an independent regulator of hunting in Victoria following its failure to enforce its own regulations during the 2016 duck hunting season, failures which led to a large number of endangered waterbirds being illegally shot and killed.

The delegation of its oversight role in the commercial kangaroo industry to a discredited and incompetent regulator raises serious questions about DELWP's ability to properly monitor and protect Victoria's kangaroo populations from overexploitation and long term harm. More generally, the broad decentralisation of governance for this industry also raises the same issues about accountability and transparency we highlighted in our assessment of the ATCW system. "Sustainable use"

The concept of "sustainable use" was developed as a strategy to protect wildlife by giving it a commercial value. It is a strategy that has been a failure globally (Hoyt 1996).

Instead of providing a profit incentive to conserve and protect wildlife, it has increased pressure on wildlife populations and done nothing for the conservation of species (Jones MLC, 1997) (WWF report 2019).

There are many examples where profit incentives have not protected wildlife but have instead led to over-exploitation that has resulted in the decimation of the species involved.

20 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

- Evidence of kangaroo shooters providing financial incentives to landholders to over- estimate kangaroo numbers;
- Evidence of shooters leaving "unsuitable" carcasses including small females or incorrectly shot carcasses (which processors would refuse to take) and instead, shooting other kangaroos, leading to overshooting.

These findings demonstrated not only how opaque and unethical the kangaroo industry is but that DELWP was incapable of the level of oversight required to ensure this "industry" constituted a sustainable use of wildlife under the Act and not a threat to the future viability of kangaroo populations.

Despite this clear evidence of fraud, corruption and overshooting and the potential risks these activities posed to kangaroo populations, DELWP proceeded with its plans to establish a fully operational commercial kangaroo industry in Victoria in 2019 without any public consultation.

Victorian Kangaroo Harvest Management Plan

The Victorian Kangaroo Harvest Management Plan (VKHMP) was established on 1/10/19 as a "recognised wildlife management plan" under S28 A (1) (h) of the Wildlife Act.

Under the VKHMP, DELWP retains control over setting of quotas, but has delegated responsibility for its implementation and governance across 4 other state government departments and agencies. Responsibility for compliance and enforcement was delegated to the Game Management Authority (GMA).

The GMA was the subject of a damning Pegasus Economics report in 2017 which found that the GMA was neither a credible nor an independent regulator of hunting in Victoria following its failure to enforce its own regulations during the 2016 duck hunting season, failures which led to a large number of endangered waterbirds being illegally shot and killed.

The delegation of its oversight role in the commercial kangaroo industry to a discredited and incompetent regulator raises serious questions about DELWP's ability to properly monitor and protect Victoria's kangaroo populations from overexploitation and long term harm.

More generally, the broad decentralisation of governance for this industry also raises the same issues about accountability and transparency we highlighted in our assessment of the ATCW system. "Sustainable use"

The concept of "sustainable use" was developed as a strategy to protect wildlife by giving it a commercial value. It is a strategy that has been a failure globally (Hoyt 1996).

Instead of providing a profit incentive to conserve and protect wildlife, it has increased pressure on wildlife populations and done nothing for the conservation of species (Jones MLC, 1997) (WWF report 2019).

There are many examples where profit incentives have not protected wildlife but have instead led to over-exploitation that has resulted in the decimation of the species involved.

20 of 35

LC EPC Inquiry into Ecosystem Decline in Victoria Submission 605

- Evidence of kangaroo shooters providing financial incentives to landholders to over- estimate kangaroo numbers;
- Evidence of shooters leaving “unsuitable” carcasses including small females or incorrectly shot carcasses (which processors would refuse to take) and instead, shooting other kangaroos, leading to overshooting.

These findings demonstrated not only how opaque and unethical the kangaroo industry is but that DELWP was incapable of the level of oversight required to ensure this “industry” constituted a sustainable use of wildlife under the Act and not a threat to the future viability of kangaroo populations.

“Sustainable use” under the Wildlife Act

DELWP maintains that its kangaroo management policies and programs including the Kangaroo Pet Food Trial and the permanent commercial kangaroo meat and skins industry represent a sustainable use of wildlife, despite the fact these programs have no conservation benefit and there are significant gaps in knowledge in relation to the potential impacts.

We dispute this assertion, relying on scientific research and reports from well-respected non-government ecologists that have suggested that large-scale removal of kangaroos from the landscape presents a serious risk to kangaroo populations (Boom, Ben-Ami 2012).

We also contend that the removal of such large numbers of a critical common species has potential landscape level biodiversity impacts on the other species they interact with and on the functioning of entire ecosystems.

FUTURE THREATS TO KANGAROO POPULATIONS Kangaroos and Climate change

There is no question that kangaroo populations will, like all other native species in Australia, be significantly affected by climate change. Increased and more extreme temperatures constitute a real risk to the welfare and persistence of kangaroo populations.

Scientific research which directly addressed the issue of the potential impact of climate change on kangaroo populations has warned of the potentially dire consequences of increased global temperatures on kangaroo species (Ritchie, Bolitho 2008).

One specific threat to kangaroo populations is the impact of droughts and increased temperatures on the survival of dependent young and juveniles, which can suffer 100% mortality in dry and extreme conditions.

There is no recognition in the Wildlife Act nor in any of aspect of DELWP’s governance or administration of the ATCW permit system or commercial kangaroo meat and skins industry of the significant threat climate change poses to the long term viability and persistence of Victoria’s kangaroo populations or commitment to adaptive change to address these issues.

Any review and reform of the Wildlife Act needs to incorporate mechanisms to address the increasing threats of climate change to the long term persistence of kangaroo populations across Victoria.

CONCLUSION

Nature is declining at an unprecedented rate in Victoria putting entire ecosystems and wild species, including kangaroo populations, at risk of extinction within the next few decades.

These trends can be halted but only if we, as a society, are prepared to make transformative changes to the way in which we value and interact with nature.

That transformative change includes prioritising the health of ecosystems and wildlife populations over short term political expediency and commercial interests.

That transformative change must also include an urgent overhaul of Victoria's biodiversity laws including the Wildlife Act and putting an end to the mass killing of wildlife under the ATCW permit system and the commercial kangaroo meat and skins industry in Victoria.