



SUBMISSION ON THE 2019 REVISED NATIONAL CODE OF PRACTICE FOR THE HUMANE SHOOTING OF KANGAROOS AND WALLABIES FOR COMMERCIAL PURPOSES

Public Consultation on the Revised Kangaroo Harvesting Welfare Code of Practice

20 December 2019

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About Voiceless

Voiceless, the animal protection institute ('Voiceless') is an independent, non-profit animal protection think-tank based in Sydney. Voiceless's vision is for a world in which animals are treated with respect and compassion. Voiceless was founded by father-daughter team Brian Sherman AM and Ondine Sherman in 2004.

Over the past fifteen years, Voiceless has worked to empower and mainstream the animal protection movement; shine a spotlight on industry practices; advance legal protection for animals; raise public awareness and; increase animal protection in science and technology. Read about our history of work and achievements [here](#).

Today, we are proud to be the home of animal law and animal protection education. We are developing the crucial skills of critical-thinking in youth, our next generation of influencers and decision-makers.

Patrons

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For further information visit: www.voiceless.org.au

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Introduction

We are grateful for the opportunity to make a submission to the *Public Consultation on the Revised Kangaroo Harvesting Welfare Code of Practice*. The significance of this consultation cannot be overstated, considering the millions of animals affected by the outcome and the significant welfare issues associated with kangaroo shooting in Australia.

1. Inadequate compliance monitoring and enforcement undermines the Code

- 1.1 Although we recognise that the revised Code places greater emphasis on shooter responsibility for kangaroo welfare, the reality is that shooter compliance with the Code is inadequately monitored across all jurisdictions, severely undermining the Code's ability to safeguard animal welfare. The substantive content of the Code has little meaning if compliance is inadequately monitored and enforced.
- 1.2 Whilst some inspections in the field do occur, there are no consistent regular inspections of all shooting locations. Boom et al argue that '[t]he lack of consistent and uniform inspections presents the most significant gap in the regulatory activity within the kangaroo industry'.ⁱ Without inspections at the point of kill, it is very difficult to ensure that shooters are operating in full compliance with the Code.
- 1.3 A further issue is the fact that shooters are not required to retain the heads of kangaroos they have shot, making it challenging for authorities auditing these facilities to confirm whether they were killed by a direct shot to the head (as mandated by the Code) or a neck shot.
- 1.4 As a result of this limited monitoring, there is unacceptable reliance on a presumption of self-regulation by the industry. This presumption is not based on any comprehensive evidence of widespread compliance with the Code in the field. In fact, the limited monitoring that has been undertaken, has revealed evidence of non-compliance.ⁱⁱ
- 1.5 Non-compliance can result in significant animal welfare violations. For example, failure to retrieve and kill wounded kangaroos may result in long and painful deaths. Similarly, failure to adequately kill dependent young is likely to result in painful protracted deaths, due to predation or starvation.

2. Unacceptable probability of wounding

- 2.1 The Code recognises that it is not possible for shooters to achieve perfect aim for every shot. Accordingly, it accepts the probability of wounding. Whilst the Code imposes an obligation on shooters to make all reasonable efforts to locate and euthanase wounded animals, there is little commercial incentive for shooters to do so in the absence of adequate field inspections.ⁱⁱⁱ
- 2.2 In the words of former commercial kangaroo shooter, David Nicholls: "The mouth of a kangaroo can be blown off and the kangaroo can escape to die of shock and starvation. Forearms can be blown off, as can ears, eyes and noses. Stomachs can be hit expelling the contents with the kangaroo still alive. Backbones can be pulverised to an unrecognisable state etc. Hind legs can be shattered with the kangaroo desperately trying to get away on the other or without the use of either..."^{iv}

3. Prohibition on shooting female kangaroos and wallabies required

- 3.1 Due to the monitoring/enforcement and wounding issues discussed above, Voiceless does not believe the Code is capable of adequately protecting the welfare of kangaroos and wallabies.
- 3.2 Although the revised Code provides greater guidance on euthanasia methods for dependent young, failure to monitor compliance leaves open the possibility that dependent young will either be euthanised inhumanely, or not euthanised at all (leaving them vulnerable to death via predation or starvation).
- 3.3 The Code must be amended to expressly prohibit the shooting of all female kangaroos. Dealers and processors should also be prohibited from accepting female carcasses across all jurisdictions.

Conclusion

Compliance with the Code is incapable of being adequately monitored and enforced, resulting in inadequate protection of kangaroo welfare.

As the Government can not ensure compliance with the Code and therefore compliance with the Government's obligation to 'promote the humane treatment of wildlife' under s.303BA of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), the industry must no longer be supported.

Respectfully submitted by **Voiceless, the animal protection institute.**

ⁱ Keely Boom, Dror Ben-Ami, Louise Boronyak and Sophie Riley, 'The Role of Inspections in the Commercial Kangaroo Industry' (2013) 2 *International Journal of Rural Law and Policy* 1, 18.

ⁱⁱ *Ibid.*

ⁱⁱⁱ Ben-Ami D, Boom K, Boronyak L, Croft D, Ramp D, Townend C, *The ends and means of the commercial kangaroo industry: an ecological, legal and comparative analysis* (THINKK, UTS, 2011) 3, 25.

^{iv} David Nicholls, 'The Kangaroo – Falsely Maligned by Tradition' in Maryland Wilson and David B. Croft (eds), *Kangaroos Myths and Realities* (Australian Wildlife Protection Council, 3rd ed, 2005), 38.