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# Submission: Response to the National Code of Practice for the Shooting of Kangaroos and Wallabies for Commercial Purposes. Public Consultation Draft. April 2019

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## Summary

Wildlife Victoria does not support the deliberate killing of healthy Australian native animals. Our position is that animal welfare outcomes are best when healthy animals are not shot.

The activity of kangaroo shooting, whether for commercial gain or for so-called “damage mitigation” cannot be undertaken without unacceptable animal welfare outcomes, including extreme stress on surviving animals, the disruption of social groups, the slow deaths of orphaned joeys.

Commercial killing of native fauna is a controversial activity that requires continuing scientific investigation, appropriate and independent legislative oversight, community education, stakeholder consultation and up to date operator training.

We agree with the RSPCA position that “...the issue of whether kangaroos and wallabies should continue to be killed under a sustainable use policy should be reviewed by both federal and state/territory governments” (RSPCA 2019a).

While we acknowledge that animal welfare outcomes are likely to be “less bad” under the commercial shooting industry compared with non-commercial shooting, we nevertheless take this opportunity to raise a range of issues relating to the revised Code of Practice and make recommendations for improvement.

We believe the use of the word “harvesting” and “harvester” is inappropriate in this context and seeks to deliberately soften the reality of the activity.

The removal of any requirement to avoid targeting females is completely unacceptable and will magnify the already substantial poor animal welfare outcomes of the commercial kangaroo killing industry.

We note that the review of the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes* (the Code) is more than 5 years overdue.

## Recommendations

1. The revised Code should replace “harvesting” and “harvester” with “shooting” and “shooter”. The use of “slaughter” to describe the activity would be consistent with other animal industries.
2. The revised Code should prioritise the welfare standards contained within the Code by including a requirement for state authorities to undertake a minimum level of independent monitoring and auditing of Code compliance by shooters, including mandated inspections of shooters in the field, chillers/processors, inspection rates and mandated reporting on the number and type of compliance letters, warning notices and infringement notices. This data should then be used to inform future iterations of the Code, to improve animal welfare outcomes (which are currently unacceptable). This requirement should set stringent benchmark targets for acceptable levels of compliance.
3. Shooting accuracy testing should occur in the dark to properly simulate field conditions.
4. Shooting accuracy test target should be reduced from a 75mm to a 55mm target.
5. Licensing of commercial shooters should require a standardized knowledge test of both kangaroo reproductive biology and life cycle, and of the revised Code (including the correct blunt trauma technique).
6. The Code should apply to all shooters, commercial and non-commercial.
7. The revised Code should require shooters not to remove heads from carcasses, to facilitate monitoring of Code compliance in the field and at the chiller/processing facility.
8. The revised Code should prohibit the shooting of females, with a low acceptable rate of inadvertent killing of females, to avoid circumstances which require the consequential killing of dependent young animals.
9. The revised Code should include a requirement for shooters who have shot a female with an at foot joey to leave the carcass *in situ* until the missing joey returns. No further shooting should be permitted until the shooter can confirm the missing joey has been euthanized. The carcass of the joey should accompany the female for auditing purposes.
10. The revised Code should state that young at-foot joeys should not be shot while fleeing since the shots will be less accurate and there will be a greater risk of wounding. It should also state that a shot to the head is preferable to a shot to the chest as it is more likely to cause instantaneous loss of consciousness.
11. Decapitation and/or cervical dislocation should be removed as acceptable methods of killing unfurred pouch young.
12. Accurate statistics should be compiled across jurisdictions on the number of females with dependent young killed by commercial shooting.
13. The revised Code needs to be presented in a way that covers all levels of literacy.

## It is not possible to achieve acceptable animal welfare outcomes

### Shooters do not adequately know the Code.

In one study (McLeod & Sharp, 2014) 65 shooters completed 8 multiple choice questions about the Code. Only 5 of 8 questions were correctly answered by at least half the respondents. Particularly poor was knowledge of the maximum range at which shooting can occur, with 78% unaware of any maximum range requirement in the Code. The maximum ranges can be found in Schedule 1 of the Code (p.15).

While most respondents correctly answered questions about acceptable euthanasia methods for pouch young and at foot joeys, knowledge does not appear to translate into compliance in the field.

This study also showed a low level of knowledge of kangaroo biology with only 3 of 8 questions correctly answered by at least half the respondents. Shooters were not asked what the pouch signs are that a female has an at foot joey.

### Shooters do not consistently comply with the Code

The purpose of the code (p.6) is “to ensure that all persons intending to shoot free-living kangaroos or wallabies for commercial purposes undertake the shooting so that the animal is killed in a way that minimizes pain and suffering”. The objective of the conditions is to “achieve instantaneous loss of consciousness and rapid death without regaining consciousness”, which is said to be “a sudden and humane death” (p.9) and “...ensure that sudden and humane death of the target animal is consistently achieved” (p.9). Unless compliance with the Code is achieved, unacceptable animal welfare outcomes will be common, and the Code will not fulfill this purpose.

In the absence of independent, standardized and mandatory monitoring, auditing and compliance across jurisdictions, there is little data to support any claim that the Code is consistently applied among commercial shooters, or that animal welfare outcomes are acceptable (Boom, Ben Ami, Boronyak & Riley, 2013; Descovich, McDonald, Tribe & Phillips, 2015). The only peer-reviewed evidence to date is from an isolated observational study of culling (Hampton & Forsyth, 2016) where a single, highly-skilled shooter achieved a very high rate (98%) of instantaneous death over five nights. However, this provides no confidence that this result could be generalized to the commercial killing industry. Hampton and colleagues have also emphasized that a lack of data and small sample sizes have hampered assessments of management interventions such as shooting (including their own studies), and made the evaluation of welfare outcomes difficult and unreliable (Hampton, McKenzie & Forsyth, 2019). A systematic and standardized approach to monitoring and compliance could help overcome these issues (see below).

As commercial shooting occurs at night in geographically widespread and remote locations, monitoring of Code compliance in the field is very challenging, and therefore the little monitoring that occurs is of carcasses in chiller rooms and processing facilities. Monitoring is inconsistent across jurisdictions and insufficient for detection of non-compliance (Boom, et al., 2013).

There is currently insufficient monitoring to detect Code non-compliance or to encourage behaviours consistent with the Code (Boom, et al, 2013). The reason for lack of industry compliance with the Codes is primarily due to issues concerning enforcement. The commercial shooting of kangaroos often happens at night and in remote areas. Therefore, the humaneness or otherwise of the practices adopted are hidden from public scrutiny, the government and law enforcement agencies. Further, kangaroo carcasses are processed in 'chillers' that are also located in remote areas. Auditors do undertake spot checks in chillers, however these occur infrequently. Previous spot checks undertaken have shown a high number of neck shots as the cause of death, as opposed to the recommended head shot, as outlined in the Commercial Code. This is poor animal welfare outcome.

We propose that guidelines for a monitoring regimen, that specifies independence, frequency and quality, should be incorporated into the Code so that standardized data will be available to inform future iterations. Measures of compliance should include animal-based as well as resource-based measures (Hampton, Hyndman, Laurence ... & Collins, 2016). Animal-based measures include the proportion of animals not killed instantaneously and the number of at foot joeys not euthanized. Resource-based measures relate to compliance with procedural specifications, such as firearms and ammunition.

Recent technological advances might provide some new opportunities for monitoring and auditing, including the use of body cameras like those worn by police.

The practice of removing the heads of killed animals in the field may serve to conceal Code non-compliance by removing evidence of failure to shoot animals in a way that results in instantaneous death. Retention of heads on carcasses should be mandated to facilitate monitoring and auditing. Of course, without video surveillance of activities this may simply mean that shooters increasingly leave animals killed outside the Code in the field to avoid detection.

## Welfare outcomes for pouch young and at foot joeys are unacceptable

The existing Code states that shooters should avoid shooting females with obvious "...pouch young or dependent young at foot". Despite this, it is estimated that on average about 850,000 females are shot each year by the commercial industry, affecting 590,000 pouch young and over 210,000 at foot joeys (Ben-Ami, Boom, Boronyak, Townend, Ramp, Croft & Bekoff, 2014).

As shooting occurs at night, in isolated locations, and with a profit motive and quotas to fill, it is hardly surprising that many females with dependent young are targeted. In a survey of 65 shooters, McLeod & Sharp (2014, p.105) reported that "Fifty one per cent of harvesters said that they sometimes shot female kangaroos, 38% said they only rarely shot females, 5% always shot females and 6% of harvesters stated that they never shot females." The researchers also undertook field observations and found quite low compliance with the Code requirements for euthanizing at foot joeys. It is notable that the authors (McLeod & Sharp, 2014, p.110) could only recruit 14 shooters who were willing to allow observation in the field, despite extensive efforts to achieve a larger sample size. This could be interpreted as meaning shooters are generally not confident that their operations are compliant with the Code.

*“Of the 14 harvesters that we did observe, only one euthanased a young-at-foot. Another harvester attempted to euthanase a young-at-foot but was unsuccessful, whilst another considered shooting a young-at but believed it to be large enough to survive on its own. With the other 11 harvesters, no time was spent attempting to euthanase young-at-foot or searching for young-at-foot when females were shot.*

*During these observations, 24 young-at-foot were seen. One was euthanased by a shot to the head, in accordance with the Code. Atypically, this joey was shot before its mother was shot (and she was successfully shot after). Another young-at-foot was shot at twice but both shots missed and the animal escaped. In all the other instances when young-at-foot were seen, there was no attempt to euthanase them. Fourteen of the observed young-at-foot responded to the shooting of the female with an alarmed flight response whilst 8 remained stationary and appeared calm. Although it may have been possible to shoot the 8 stationary young-at-foot it was not done. Also, when the alarmed young-at-foot took flight, none of the harvesters pursued or searched for them or waited to see if they would return to the location where their mother was shot. If a young-at-foot was not seen, but the shot female had a long teat indicating she was likely to be suckling a young-at-foot, none of the harvesters spent any time searching for a young-at-foot, nor did they wait to see if a young-at-foot returned to the location where the female was shot.” (McLeod & Sharp, 2014, p.110)*

This research found that while shooters reported an intention to euthanize at foot joeys, in practice this was not occurring. Failure to euthanize at foot joeys is likely to be widespread in the industry, with the surviving young animals being predated or starving to death. At foot joeys are highly mobile, and therefore flee the area where shooting is occurring. However, as all wildlife rescuers know, surviving joeys will often return to their dead mother hours later.

The response in the revised Code to the numbers of females with dependent young being killed is to remove the requirement to avoid shooting females, rather than see this as an indicator of the impossibility of having a commercial kangaroo shooting industry that is truly “humane”.

We agree with the recommendation of McLeod and Sharp (2014, p.xvii) that *“The Code should be reviewed to provide more specific instructions on what actions harvesters should take in specific circumstances when they encounter young-at-foot”*. We believe that this should include a requirement to leave the dead mother in situ and cease further shooting until the missing at foot joey is accounted for.

We agree with the RSPCA (2019b) that *“It may be that only solution to totally avoid the potential of cruelty to pouch young is not to shoot females at all”*.

The revised Code of Practice should not only reinstate the requirement to avoid shooting females but should also strengthen the monitoring system to measure the extent of non-compliance.

Regarding the acceptable methods of killing unfurred pouch young (decapitation and/or cervical dislocation) on the basis that they “...**may** not have the capacity to experience the sensation of pain”, based as it is on only two published reports by the same research team, seems unjustifiable. The precautionary principle suggests that this is an unsound conclusion. The use of both cervical dislocation

and decapitation as an acceptable method of euthanasia require a highly skilled operator (American Veterinary Medical Association, 2020) and this cannot be guaranteed within the prescriptions of the Code as it is currently written.

## Conclusion

We conclude that pain, distress and suffering cannot be avoided even if the Code is applied. Unlike domesticated animals transported to abattoirs for slaughter, kangaroos are wild animals being killed at a distance at night. The evidence is that many animals are not quickly killed by the first shot, and many at foot joeys escape and many will endure a lingering end. The period of pain and distress between non-fatal shooting of adults and humane euthanasia, and between death of the mother and death of the dependent at foot joey appear to be inherent in the commercial slaughter of kangaroos and wallabies.

Estimates of clean head shots achieving instantaneous death range from 60% to 96% (Boom & Bem-Ami, 2014). If, conservatively, 1.5 million animals are shot annually in commercial operations subject to the Code, then between 60,000 and 600,000 targeted animals will not experience sudden and painless death. Most or all at foot joeys will experience significant distress.

We conclude that there are unavoidable and unacceptable animal welfare outcomes associated with kangaroo shooting that cannot be avoided even if the Code is applied.

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