

22 March 2019

The Hon Jaclyn Symes MLC
Minister for Agriculture
Level 36, 121 Exhibition Street
Melbourne VIC 3000

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Dear Minister

The Law Institute of Victoria's Animal Welfare Committee ('the Committee') welcomes the Victorian Government's commitment to provide additional funding to the Game Management Authority ('GMA') to, among other things, improve enforcement under the Wildlife Regulations 2013 and the Wildlife (Game) Regulations 2012 ('the Regulations'). The Committee also welcomes the Government's commitment to implement the Adaptive Harvest Model to assess the populations of ducks and wild birds.

The Committee wishes to express its concern that the current regulations do not protect animal welfare and are not effectively enforced.

The Committee notes with concern 'animal welfare' is not included in the core objectives of the Regulations and calls on the Government to alter the Regulations to include the objective 'to ensure the protection of animal welfare'.

Further, the Committee is concerned those protections that do exist in the Regulations will not be adequately enforced by GMA, in spite of the commitment to increase funding. The Committee is particularly concerned the prescribed manner in which birds can be killed and collected is not being complied with or enforced. In addition, the Committee is concerned the prohibition on hunting some wild native birds is not being effectively enforced, in light of the significant decline in wild bird numbers in Victoria.¹ The Committee notes the 2017 Pegasus Economics Report ('the Report'), which found the GMA were unable to ensure compliance with the Regulations in previous seasons, explicitly stating 'non-compliance with hunting laws is commonplace and widespread'.

The Committee recommends the Government seriously consider a total ban on duck hunting to protect wild bird populations and ensure the *Prevention of Cruelty to Animals Act 1986* is complied with so that ducks are not exposed to inhumane injury and death. The Committee submits that in

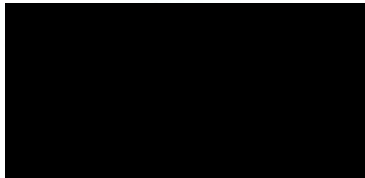
¹ J.L. Porter, R.T. Kingsford and K. Brandis, 'Aerial Survey of Wetland Birds in Eastern Australia - October 2018 Annual Summary Report' <https://www.ecosystem.unsw.edu.au/files/2018-Eastern-Australia-Waterbird-Survey-Summary-Report.pdf>

doing so, the Victorian law can be brought into line with Western Australia, Queensland and New South Wales, who have all banned recreational duck shooting.

The Committee calls for the Government to commit to banning duck hunting in 2020.

Should you wish to discuss these proposals further, please contact the LIV Administrative Law and Human Rights Section on (03) 9607 9445 or email ALHRSection@liv.asn.au.

Sincerely yours,



Nicky Neville-Jones

**Chair
Animal Welfare Committee
Law Institute Victoria**