



Submission from the Animal Justice Party (AJP)

Revised National Code of Practice for the Shooting of Kangaroos and Wallabies for Commercial Purposes - Public Consultation on the development of acceptable animal welfare requirements for the commercial harvesting of kangaroos and wallabies.

Lodged by Catherine Ward, NSW State Secretary, AJP

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Introduction

The Animal Justice Party (AJP) was established in 2009 in response to growing public concern over the abuse, harm and mistreatment of non-human animals across Australia. We aim to give a political voice to animals, to pursue the vital issues of animal protection through Australia's political system and to encourage political parties to adopt animal-friendly policies.

We completely reject the view that native animals such as kangaroos should be slaughtered for the commercial trade in meat and skins. Our goal is to rapidly phase out the commercial killing of kangaroos and to close down processing industries.

Kangaroos should be valued for their intrinsic worth as sentient beings living freely in the environment. Our obligation as custodians of Australian fauna is to ensure their protection, to help maintain their basic needs and to restore degraded habitat, rather than seeing them as resources to be exploited or pests to be eliminated. They are a unique and iconic animal that the world's tourists flock to see in their natural state. The AJP believes that ethical eco-tourism showcasing healthy and thriving macropod populations is the way forward, not the shots in the dark, the shattered bodies, the dying wounded and the bludgeoned joeys which rightly belong to a cruel and archaic past.

We consider that the language used in the Code of Practice is designed to mask the reality of kangaroo killing. "Harvesting" is a word more commonly used to refer to the peaceful, non-violent gathering of crops, not the slaughter of animals. The language deflects from the reality that it is the world's largest massacre of land-based animals on the planet.



Kangaroos are shot in the head (sometimes shooting off the jaw), often escaping only to die from wounds; joeys are decapitated or bludgeoned to death, or are predated upon or starve if they escape the slaughter. There is little if any transparency or accountability for monitoring how 'humane' these deaths were in remote places, out of sight and in the dark. How do we know that the shots were clean if the heads are removed before the carcasses are put in the chillers?

In 2019, it is totally unacceptable for any industry to rely upon such barbaric methods of animal 'processing' as hunting and killing from the back of utes in the dark. Imagine sheep and cattle wandering about a darkened abattoir, with their 'at foot' or suckling young, and the sudden flash of light as the shots ring out; offspring bludgeoned to death and discarded. The public would be outraged and horrified if they knew the truth about the kangaroo slaughter.

We dispute the premise that there is an 'overabundance' of kangaroos causing damage to crops and pasture. Excessive clearing for animal agriculture and cropping excludes kangaroos from their ancient feeding grounds. According to the Australian Bureau of Statistics, since colonisation we have claimed more than half of this continent for agriculture. Thirty-five per cent of the continent is desert and three per cent is covered by urban development. The space available for kangaroos to roam in the great mobs described by Major Mitchell in his exploration diaries, is reducing every year.

At 30 June 2017, there were 394 million hectares of land used for agriculture in Australia, a six per cent increase on the previous year. Kangaroos are being shot, not because of their over-abundance, but because they have been marginalised, pushed into conflict with the ever-expanding agricultural industries. It is noted that 70 per cent of this food and fibre production is for export dollars, not to satisfy domestic demand. The AJP believes that if we transitioned to a plant-based agricultural system, it would free up a considerable amount of land that could be returned for habitat and rewilding, ending any competition between cropper, grazier and kangaroo.

Criticisms of the Revised National Code of Practice for the Shooting of Kangaroos and Wallabies for Commercial Purposes

The AJP does not endorse the killing of kangaroos, either for profit in the commercial industry or for managing 'harm' caused to agricultural interests.

Given that the NSW government currently supports the continued existence of the commercial kangaroo meat industry, we acknowledge the importance of a code of practice that provides for the least amount of suffering to kangaroos when hunted and killed.



We submit that there are considerable inadequacies in the draft Code which, if not remedied, will result in pain and suffering to kangaroos hunted and shot for commercial purposes.

General Comments

1. As is standard in a number of codes of practice, the revised Code should explicitly state that hunters are required, first and foremost, to comply with current animal welfare laws and that no practice within the Code abrogates that responsibility
2. The Code claims that slaughtering joeys by bludgeoning is relatively humane. The claim that neck-breaking or decapitation of furless joeys is humane because the nervous system has not yet fully developed, remains speculation, as admitted in the Code's own words ("marsupial young – which are neurologically extremely immature at birth – may not have the capacity to experience the sensation of pain"). Despite undertaking a search, the AJP has been unable to locate any credible peer-reviewed research to confirm this. In fact, there is such a paucity of evidence about the sentience of pouch joeys or indeed, at foot joeys, that the AJP recommends that the precautionary principle be applied, and that all joeys should be treated as if they can experience pain. The only acceptable method of euthanasia, where an overdose of anaesthetic is unavailable, is a head shot at point blank range from a suitable firearm.
3. The Code's standards for animal welfare should cover all aspects of the hunt not just the kill. There should be provision for identifying welfare risks to kangaroos, including prohibiting the use of vehicles to 'round up' or trap kangaroos in the hunt. Such activities put the kangaroos at extreme risk of myopathy, panic-related injuries, and of separating mothers from their joeys, leading to their abandonment and likely predation.
4. The Code ignores the psychological suffering and distress inflicted on the kangaroos who are not shot, the survivors who have lost family and friends, and the destruction of mob social structures and protections. It does not factor in the long-term impacts of robbing mobs of their older but slower kangaroos, who are essential for passing on the "cultural wisdom" of the mob which allows them to survive in a complex environment.



Specific Issues re the Revised Code

Preface

Paragraph 2: It would be useful for research purposes to identify the animal welfare organisations involved in developing the code

Paragraph 4: "A consultant with expertise in kangaroo welfare was appointed to lead the review." It is important to name the consultant so that independent research can verify their level of expertise in the field.

Introduction

We dispute the assertion that slaughter of kangaroos for the meat and skins industries is "valuable" and "sustainable." Thankfully kangaroo meat is a niche market with only a handful of countries showing interest in importing the meat, despite decades-long attempts by industry to promote kangaroo meat to overseas markets. If kangaroo meat ever became a mass market choice of meat, we would very quickly exhaust the remaining kangaroo population to supply the trade.

Russia has banned the importation of kangaroo meat due to health and hygiene concerns; China has been lobbied but firmly rebuffed any opening in the Chinese market and the European Union, the largest market, is under pressure from animal advocates with a ban becoming increasingly likely for 2020.

The true value of kangaroos is as a resource, is in their vital role as a keystone species in maintaining healthy grassland and open woodland ecosystem for the benefit of other animals and plants which share their habitat.

Kangaroo populations in NSW have already crashed to an estimated 11% of populations at the time of European settlement, as a result of habitat loss and relentless hunting. While kangaroo numbers do rise, fairly slowly, during good seasons, their numbers always remain limited by their reduced habitat. They are never "overabundant". Their numbers adjust quickly (primarily through cessation of breeding) to the limitations of habitat. Furthermore, in view of the rigours of climate change, it is unwise to assume that good seasons will ever again occur as frequently as they have in the past.



Requirements

Lack of scientific research and unquantifiability should not be excuses for cruelty. Where these limitations are implied as the reason for a "should" rather than a "must" in relation to harming an animal, the word should be changed to "must".

Definition and terms

Dependent young: this definition should make it clear that kangaroo joeys usually continue to require milk to meet their nutritional needs until they are about 18 months to two years old.

Unconsciousness: this definition is wrong. A shot animal may be unable to right itself without being unconscious. Human first aid courses teach that unconsciousness may normally be assumed if the person is lying still, eyes closed, and unresponsive to loud noises close to their ears, but they are still breathing. The same applies to non-human animals.

Section 1: Harvester responsibility and competency

Competency: Competency in animal welfare principles and practice should be determined by an independent body such as the RSPCA or the Animal Welfare League, with staff trained in the specifics of kangaroo welfare.

Section 2: Shooting kangaroos and wallabies for commercial purposes

Firearms and ammunition (paragraph 2): The shooting of kangaroos should be prohibited in semi-urban areas or near rural residences. The AJP has received multiple reports over many years of householders in fear of stray bullets and also the trauma of seeing and hearing kangaroos being herded into boundary fences and shot. Reports of orphaned joeys and wounded kangaroos wandering onto neighbouring properties compounds the distress.

Targeting and shooting animals (paragraph 2): A shooter should not under any circumstances be permitted to risk further non-lethal wounding of a wounded animal. The second shot must be accurate and lethal. Therefore, this section should be amended to remove the permission for a shooter to shoot a wounded animal unless that animal is both stationary and clearly visible.



Targeting and shooting animals - boxed summary of "Requirements"

2.3: It is unacceptable to leave a wounded animal suffering while the shooter shoots two more animals. Wounded animals must be a priority for euthanasia, the animal must be stationary and clearly visible before a further shot is attempted.

2.5: Animals should be checked after every shot is fired, not after every three shots, and certainly not only after shooting three animals. Leaving a potential wounded animal to suffer while the shooter kills, or attempts to kill two more animals, is ethically unacceptable and likely to be in breach of animal welfare laws.

Section 3: Euthanasia of dependent young and wounded or injured kangaroos and wallabies

Methods of euthanasia

The standard operating procedure for euthanasia of bludgeoning, neck-breaking and decapitation, as detailed in the Appendices, are totally unacceptable from a welfare point of view and should be deleted from this code everywhere they appear.

Instead, shooters, in addition to whatever gun they are using for shooting adult kangaroos, should be required to carry, and be qualified to use, a smaller rifle or handgun for the euthanasia of pouch young, young at foot and wounded adults at unmissable close range. Headshots only should be used for euthanasia. As noted above, wounded animals must be stationary and clearly visible, to avoid the risk of wounding them a second time.

Secondary euthanasia methods

Shooters must be required to carry a secondary firearm suitable for delivering a close-range lethal headshot.

Euthanasia of pouch young

Paragraph 2: This states that "marsupial young – which are neurologically extremely immature at birth – may not have the capacity to experience pain the sensation of pain". If there is any doubt about this matter at all, painful methods of euthanasia should not be used on them. Even for these very small young, the least inhumane method of euthanasia is clearly blasting it at point blank range with a suitable close-range firearm.

Paragraph 4: The AJP takes issue with the statement that "when performed by skilled operators " bludgeoning an at-foot joey to death is an effective method of euthanasia. How can the public be confident that joeys are despatched quickly? How often do errors or



laxness occur? We simply do not know. The world was appalled by images of seal pups being bludgeoned to death on the Canadian ice floes. In 2019, the images of bludgeoned joeys is just as unacceptable to the Australian public.

It is incorrect to state that the "duration and extent of suffering is less than other currently available methods". As mentioned above, a headshot from an appropriate firearm at point blank range is certain, in the vast majority of cases, to cause less suffering than a blow to the head that is mis-aimed, not forceful enough, or inaccurate.

Euthanasia of dependent young-at-foot

Paragraph 2: Shooting a wounded animal where the animal is neither stationary or clearly visible is unacceptable because it risks a further wounding rather than killing the animal and ending his or her suffering. Attempting to kill them with a blow to the head is unacceptable, because of the extreme suffering it is likely to cause if the first blow fails to kill them.

Paragraph 3: Nothing in this Code should be dependent "on the judgement of the harvester".

Euthanasia of wounded or injured kangaroos and wallabies

Paragraph 2: There are no circumstances where use of a suitable close-range firearm for euthanasia would be less practical than a blow to the head. There are no circumstances where use of a suitable close-range firearm for euthanasia would be less safe for the shooter than a blow to the head.

Appendix 1 Assessment requirements for shooting accuracy

Apart from shooting accuracy, there must also be inclusion of assessment on the animal welfare requirements of the code. If the bludgeoning methods recommended by this Code are to remain in their current form, then a competency test for bludgeoning animals to instant death with a single blow should be an absolute requirement. Replicas of appropriate breakability, rather than sentient beings, should be used in order for a shooter to attain competency, rather than live subjects either in the field or in a classroom.

Appendix 2: Developmental stages of kangaroo young

This appendix should assign age ranges to the stages described, and should inform readers that, under reasonable environmental circumstances, any female kangaroo is likely to have in her care both a pouch young and a young at foot joey, a year apart in age. She is also likely to be pregnant with another joey a year younger again. Prospective shooters should be aware that when they kill a female kangaroo they are, in most cases, robbing the mob of not one but four individuals.



Appendix 4: Standard operating procedure for shooting kangaroos and wallabies

Firearms and ammunition

Paragraph 1: As mentioned above, the only exception to the use of centrefire rifles should be for the use of suitable short range firearms for euthanasing wounded or injured animals. As mentioned above, there are no circumstances where use of a suitable close-range firearm for euthanasia would be less practical than a blow to the head. There are no circumstances where use of a suitable close-range firearm for euthanasia would be less safe for the shooter than a blow to the head unless the shooter is totally incompetent.

Targeting and shooting animals

Dot point 1: In the earlier section of "Firearms and ammunition", the Code states clearly that "Targeted animals must be killed with a headshot (unless they are wounded or injured)". In this appendix, the requirement has been downgraded to "the harvester must aim to hit the target kangaroo or wallaby in the head". If the shooter cannot be certain of the headshot, the shooter must not shoot. If the shooter claims to have been aiming for the head, but missed, they should lose their licence.

Dot point 3: This should read "Kangaroos that are moving must not be shot".

Dot point 5: This should read "Unless already injured or wounded, kangaroos or wallabies must not be shot unless they are standing upright".

Dot point 8 & 9: As mentioned above, the Code's notion of "acceptable methods" of euthanasia, are completely unacceptable.

Confirmation of death

Dot point 2: As mentioned above, this point should read "a second shot from the same or other suitable firearm must be applied".

Follow-up of wounded animals

Dot point 5: As mentioned above, neither a concussive blow to the head nor bleeding out are acceptable methods of euthanasia. It is always safe and practical to use a suitable short range firearm at point blank range.



Appendix 5: Standard operating procedure for euthanasia of pouch young

Application

Dot point 3: As mentioned above, this contradicts the assertion mentioned in the earlier section, "Euthanasia of pouch young", paragraph two, which states that "marsupial young – which are neurologically extremely immature at birth – may not have the capacity to experience pain the sensation of pain". There is a world of difference between "may not have the capacity" and "are not yet able". The benefit of the doubt assumes that these joeys do feel pain, and indeed to assume that (having achieved an extraordinary feat of self-willed action at birth), that they have the full range of motivating sensations.

Dot point 4: As noted above, a "concussive blow to the head" that achieves instant death is unlikely to be achieved by a kangaroo shooter, and should therefore be prohibited.

Dot point 5: This reference to a captive bolt pistol is puzzling. There are many small, close-range firearms that are well-proven as capable of delivering instant death, that could be used without resorting to slaughterhouse equipment.

Methods of euthanasia of unfurred pouch young

Paragraph 1: as mentioned above, cervical dislocation and decapitation are totally unacceptable methods of killing unfurred pouch, as the Code itself has admitted that pouch young may (since they also "may not") be fully capable of experiencing pain.

Paragraph 3: as mentioned above, it is highly unlikely that kangaroo shooters will ever perform either cervical dislocation or decapitation or bludgeoning correctly; therefore, these methods should be prohibited.

Euthanasia of partially-furred to full-furred pouch young

As mentioned throughout this submission, a concussive blow to the head must never be used by kangaroo harvesters whose chances of killing the animal with a single blow are very close to zero. Kangaroo killers are unlikely to have either the will or the skill to apply the technique correctly. This method of euthanasia should be prohibited.

Methods that should not be used in conscious animals

At the very least, this should read "methods that must not be used on conscious animals", and only then with a careful re-definition of "conscious" (please refer to our earlier comment under "Definitions"). In fact, neither decapitation nor exsanguination should be used on any sentient being. Ever.



Appendix 6: Standard operating procedure for dealing with young-at-foot

Methods: euthanasia of YAF

Dot points 1 and 7: As mentioned above, a concussive blow to the head is an unacceptable method of killing any young because of the certainty that it will almost never be applied correctly by a kangaroo harvester (given that no kangaroo harvester is likely to have either the skill or the will to apply it correctly).

Dot point 2: The second sentence should read "YAF that are fleeing must not be shot..."

Table 1: Welfare impacts on dependent young that are orphaned during harvesting and measures to preventing suffering

The word "reasonable" needs to be defined.

Once again, the information in this table contradicts that provided in "Euthanasia of pouch young", paragraph 2, which states that "marsupial young – which are neurologically extremely immature at birth – may not have the capacity to experience pain the sensation of pain". The benefit of the doubt must assume that these joeys do feel pain.

Throughout this table, all reference to decapitation, cervical dislocation and concussive blow to the head should be deleted as recommended methods of euthanasia, since they all:

- (1) always cause pain, or
- (2) if conducted by shooters who are not expert in their application, are almost certain to cause pain, or
- (3) in the case of furless pouch young may cause pain.

Appendix 10: Summary of Code requirements

Section 2: Shooting kangaroos and wallabies for commercial purposes

2.2: There needs to be clarification: are shooters required to shoot kangaroos and wallabies in the head or to merely "aim to shoot kangaroos and wallabies in the head"? The latter allows the shooter to claim they were aiming for the head.

2.3: As mentioned above, there is no ethically acceptable reason for allowing shooters to shoot wounded animals when they are either not clearly visible or not stationary, because of the risk of further wounding rather than a lethal shot.

2.5: Animals must be checked after every shot is fired, not after every three shots, and certainly not only after the shooter has succeeded in hitting three animals. Leaving a



potentially wounded animal to suffer while the shooter kills, or attempts to kill two more animals is ethically unacceptable.

2.8: Given that the code does not require shooters to pass any tests of competence in these matters, we certainly do not object to a final check being made that animals are dead before their bodies are "processed". However, as mentioned above, shooters must confirm that every shot animal is either alive or dead after every shot.

Section 3: Euthanasia of dependent young and wounded and injured kangaroos and wallabies

See previous comments for our views on these matters. To reiterate, decapitation, cervical dislocation, concussive blow to the head and exsanguination are all ethically unacceptable methods of killing any animal in any circumstances.

If euthanasia of any animal is necessary because worse suffering is the alternative, and an appropriate euthanasia drug is unavailable, a point-blank headshot with a suitable firearm is the only method that is certain to cause no pain.

Conclusion

The AJP considers that the commercial killing of kangaroos is a barbaric and unnecessary industry that brings shame to Australia on the international stage. Kangaroos are critical to the health of the environment as a cornerstone species. Kangaroos are a draw card for international tourists and yet this is rarely explored in terms of eco-tourism. They are truly a unique and iconic animal, but instead of awe and appreciation, we have treated them with astonishing brutality and disdain.

The public's rapidly evolving attitude towards animal welfare and sentience should give regulators cause for reflection. The AJP has two members elected to the NSW Legislative Council and they are determined to expose the suffering inherent in this industry and to end the kangaroo meat and skins trade in NSW. However, for as long as we *do* have a commercial kangaroo industry, we will lobby for the highest standards of animal welfare.

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