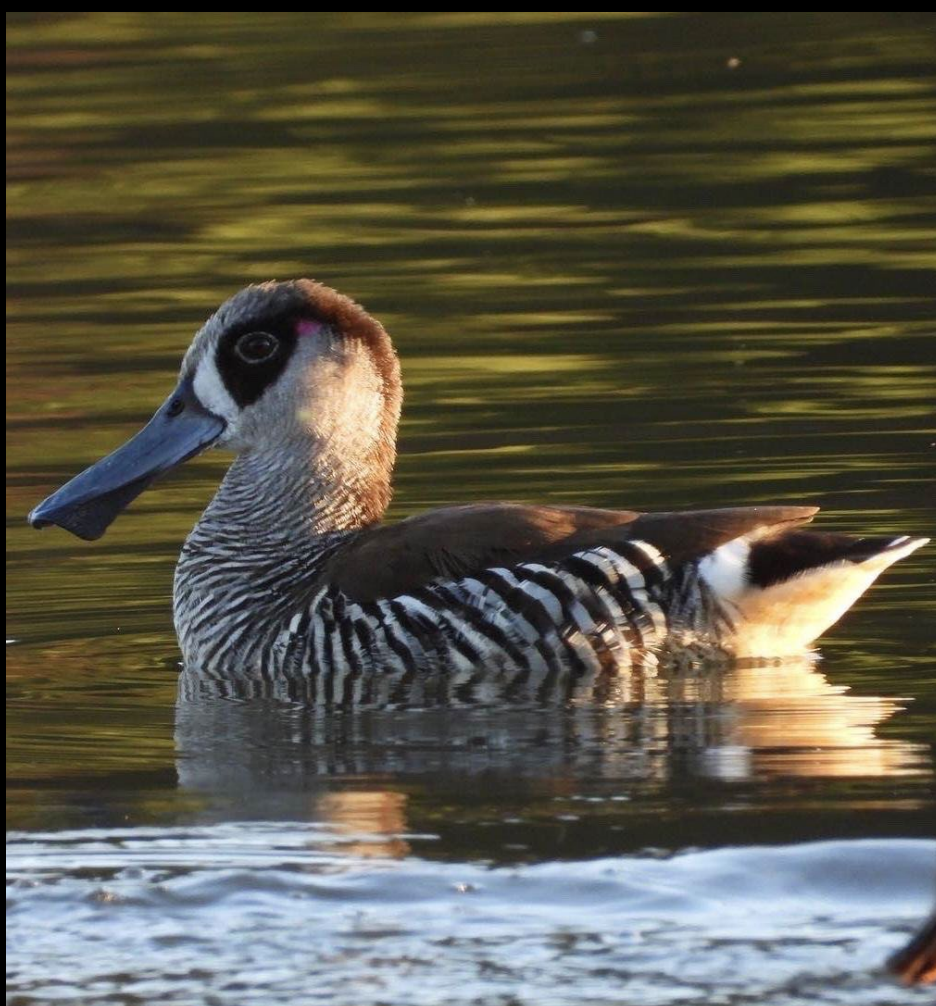


Submission

***Parliamentary Inquiry into South Australia's Native Bird
Hunting***

May 2023



**Animal
Justice
Party**



Animal Justice Party

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The Animal Justice Party 2023

Images

Front cover: Pink Eared Duck. Geelong. *Mish Crilly*

This Page: Shot and left behind by shooters. Geelong

The Animal Justice Party acknowledges the First Nations peoples as the custodians of the land on which we live and work.



About the Animal Justice Party

The Animal Justice Party (the AJP) is a political party established in 2009 to secure the interests of animals and nature through Australia's democratic institutions of government. Our vision is a planet on which animals and nature have the right to live and thrive free from negative human interference and a human society which functions with kindness and compassion within its ecological limits as a responsible member of the Earth community. The AJP seeks to foster respect, kindness, and compassion towards all species particularly in the way governments design and deliver initiatives, and the manner in which these initiatives function.

In New South Wales the AJP has one elected representative in the Legislative Council of NSW, Emma Hurst MLC and one Councillor in local government, Matt Stellino. In Victoria, the AJP has an elected representative in the Legislative Council, Georgie Purcell MLC, and a Councillor in local government, Councillor Julie Sloan.

This submission was prepared by the National Submissions Working Group within the AJP. The working group makes this submission on behalf of the AJP with the approval and the endorsement of the Board of Directors.

Introduction

South Australia's recreational duck shooting is not a sport; it is legalised, indiscriminate killing of native wildlife, whose populations are already in dangerous decline.

Less than 1,000 South Australians hold a licence to hunt ducks.^{1,2} Yet, for three months of the year the government permits a shooting season to support the 'recreational' activity of this exceedingly small number of South Australians. This activity jeopardises South Australia's biodiversity, disrespects our conservation priorities and restricts more than 1.8 million South Australians from enjoying many natural sites across South Australia.

Duck shooting is cruel.³ It has been demonstrated time and time again that it is impossible to effectively police the actions of duck shooters. Also, it is an activity that is not only conducted by an extremely small number of people, but an activity that most South Australians want their

¹ Data obtained through Freedom of Information: the number of licences to hunt native birds in 2023 - Duck licences: 1113 (861 South Australians, 252 Victorians); Quail licences: 196

² The National Tribune (2023) Flooded habitats another reason not to shoot ducks. The National Tribune. 13Jan2023. <https://www.nationaltribune.com.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

³ <https://www.rspcasa.org.au/the-issues/duck-hunting/>

Members of Parliament and government to end,⁴ because it is outdated, cruel and fails community expectations.

It is time to ban native bird hunting in South Australia.

This submission is guided by our mission and vision and underpinned by our policies. The AJP has policies on animals, environment and human issues.⁵ Our policies on Animal Law,⁶ Duck Shooting,⁷ Environmental Law,⁸ Gun Control,⁹ Native Birds,¹⁰ Wildlife Care¹¹ and Wildlife Protection¹² are particularly relevant to this consultation.

In 2023 a select committee was formed to conduct an inquiry and prepare a report on hunting native birds in South Australia. The Terms of Reference are:

A Select Committee of the Legislative Council has been established to inquire into and report on the Hunting of Native Birds, with particular reference to:

- (a) Community values and perspective;*
- (b) Cultural, social and recreational aspects;*
- (c) Sustainability, environmental and animal welfare aspects of native bird hunting;*
- (d) Economic considerations;*
- (e) Perspectives of First Nations;*
- (f) How native bird hunting is managed in other jurisdictions; and*
- (g) Any other relevant matter.*

Our submission tackles this critical inquiry by presenting our arguments under each of the themes of the Terms of Reference, and outlines why a recreational hunting season for native birds in South Australia should be banned. A quarter of the people licensed to shoot ducks in South Australia are Victorians;^{13, 14} so Victorian data and stories are relevant to this inquiry. Recommendations are provided throughout our submission and summarised on the following page.

Thank you for the opportunity to contribute to this consultation.

⁴ <https://www.rspcasa.org.au/the-issues/duck-hunting/>

⁵ Animal Justice Party *Policies* <https://animaljusticeparty.org/policies/>

⁶ https://www.animaljusticeparty.org/animal_law

⁷ https://assets.nationbuilder.com/ajp/pages/765/attachments/original/1646622683/duck_shooting_SA.pdf?1646622683

⁸ https://www.animaljusticeparty.org/environmental_law

⁹ https://www.animaljusticeparty.org/gun_control

¹⁰ https://www.animaljusticeparty.org/native_birds

¹¹ <https://assets.nationbuilder.com/ajp/pages/759/attachments/original/1646620449/Wildlife-care.pdf?1646620449>

¹² <https://assets.nationbuilder.com/ajp/pages/761/attachments/original/1646621192/Wildlife-Protection.pdf?1646621192>

¹³ Data obtained through Freedom of Information: the number of licences to hunt native birds in 2023 - Duck licences: 1113 (861 South Australians, 252 Victorians); Quail licences: 196

¹⁴ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

Summary of Recommendations

1. Ban the recreational shooting of all native birds in South Australia to be aligned with community values and perspective.
2. Prioritise the safety of regional South Australian residents, businesses and communities.
3. Invest in regional tourism initiatives that will create jobs, return income to regional communities and protect and showcase South Australia's natural beauty.
4. Consult with local indigenous communities and consider signage at sites of cultural significance to increase awareness of them and to offer future protection.
5. Honour international obligations under the Ramsar Treaty by increasing waterbird populations and conserving wetlands throughout South Australia.
6. Adopt the recommendations of The United Nations Global Biodiversity Outlook 5 plan.
7. Review South Australia's legislation related to wildlife to improve biodiversity outcomes and planetary health.
8. Conduct a biosecurity risk analysis for South Australia's waterways, wetlands and riparian ecosystems to assess the impact of nature-based water activities on ecosystems, and the risk to human health from zoonoses.
9. Support farmers to establish and employ regenerative farm practices to ensure long-term viability of their crops with minimal impact on native bird populations and biodiversity.
10. Amend the Animal Welfare Act 1985 to recognise animal sentience and do not allow any activities which cause cruelty to sentient beings.
11. Recognise that the banning of native bird hunting in South Australia will have no obvious economic impact.
12. Consult First Nations people about their perspectives and recommendations regarding hunting native birds and its impacts on waterbird numbers and Country.
13. Recognise that Victorian shooters, habituated in the poorly-managed Victorian system, and licensed to shoot in South Australia, cause detriment to South Australian native water birds and ecosystems.
14. Appreciate the failures in the operation and management of native bird hunting in Victoria and use the knowledge to inform this Parliamentary Inquiry and consider the impacts in the South Australian system.
15. **Recognise** that if recreational hunting of native birds is banned in Victoria, thousands of Victorians are likely to apply for a duck hunting licence in South Australia and this will be detrimental to South Australia's waterbirds and wetlands.

1. Community values and perspective

Community Values

Policy of government departments and organisations, the corporate and not-for-profit sectors and community organisations report **values** that are important to South Australians and Australians.

Some Australian values are recorded in the *Australian Values Statement*.¹⁵ They include parliamentary democracy, commitment to the rule of law, equality, freedom, mutual respect, tolerance and compassion for those in need.

In the South Australian government, the values of the Department of Premier and Cabinet are curiosity, connectedness and courage,¹⁶ while the Public Sector values are service, professionalism, trust, respect, collaboration and engagement, honesty and integrity, courage and tenacity, and sustainability.¹⁷

Stopping the hunting of native birds in South Australia ***aligns with the values*** of the South Australian government and those recorded in the *Australian Values Statement*.

Some ***values and issues that are particularly relevant to this inquiry*** into native bird hunting in South Australia are the following:

Democracy

Seven in 10 South Australians do not want native bird hunting to be permitted in South Australia and they want their elected Members of Parliament to stop the activity.¹⁸ (See below in *Community Perspective*, page 9.) Ending native bird hunting in South Australia would be consistent with democracy.

Compassion

Compassion is the recognition of the suffering of others, and it is extended to non-human individuals. Because hunting and shooting native animals is cruel, seven in 10 South Australians want it stopped,¹⁸ which is an obvious demonstration of compassion. See below in *Section 3: Animal Welfare* (page 20).

¹⁵ <https://immi.homeaffairs.gov.au/help-support/meeting-our-requirements/australian-values#content-index-2>

¹⁶ <https://www.dpc.sa.gov.au/about-the-department/strategic-direction>

¹⁷ <https://www.publicsector.sa.gov.au/hr-and-policy-support/public-sector-values>

¹⁸ <https://www.rspcasa.org.au/the-issues/duck-hunting/>

Equity and Fairness

In 2022 there were more than 1.8 million South Australians¹⁹ and only about 850 South Australians were licensed to hunt ducks; that is, only 0.05% of the South Australian population. One quarter of the licensed duck hunters in South Australia in 2022²⁰ and 2023²¹ were Victorian. During the duck hunting season, only licensed duck hunters can enter natural areas where duck hunting is permitted. Public funds support the native bird hunting season.

This is clearly ***not fair nor equitable***, as further described below:

- A miniscule number of South Australians (0.05%) are permitted to do an activity that most South Australians want banned.
- Almost all South Australia's population (99.95%) is not permitted into certain natural areas for 3 months of the year to allow less than 1,000 South Australians to kill and injure native birds.
- For 3 months of the year 250-300 Victorians are permitted into certain natural areas in South Australia to kill and injure South Australia's native birds, while 99.95% of South Australians are not permitted into these areas at this time.
- Public funding in South Australia is allocated to support this activity practised by only 0.05% of South Australians, (e.g. administration costs, licensing, following up breaches).

Environment protection and sustainability are critical to planetary health and human health.²²

There is a global focus on these issues with large international strategies developed to tackle biodiversity loss and ecosystem decline.²³ Hunting native birds causes detriment to native animals and to important ecosystems such as wetlands and waterways; hunting is clearly not conducive with environment protection or sustainability. See below in *Section 3: Sustainability & environment* (page 14).

Community safety

Shooting puts the safety of regional residents and visitors at risk during native bird hunting seasons. Hunting and shooting native animals is animal cruelty,²⁴ and animal cruelty is linked to various forms of community violence.²⁵ (See below in *Section 2: Violence and Blood Sport*, (page 10.) Hunting and shooting of native birds is not conducive to community safety.

¹⁹ <https://www.abs.gov.au/statistics/people/population/national-state-and-territory-population/latest-release#states-and-territories>

²⁰ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

²¹ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

²² <https://www.planetaryhealthalliance.org/>

²³ Secretariat of the Convention on Biological Diversity (2020) Global Biodiversity Outlook 5. Montreal. <https://www.cbd.int/gbo/gbo5/publication/gbo-5-en.pdf>

²⁴ <https://kb.rspca.org.au/knowledge-base/what-is-the-rspcas-view-on-duck-hunting/>

²⁵ <https://theconversation.com/in-victoria-animal-abuse-may-soon-be-considered-a-form-of-family-violence-heres-why-that-matters-156284>

Rule of Law

Australia and South Australia are committed to the *rule of law*,²⁶ the principle that the law applies to everyone, regardless of position or status.

Hunting of native birds in South Australia is not congruent with the purpose of South Australian or Australian laws, and therefore breaches the principle of the *rule of law*:

- *National Parks and Wildlife Act 1972 (SA)*²⁷ - "provide for the conservation of wildlife in a natural environment".
- *Environment Protection Act 1993 (SA)*²⁸ - "provide for the protection of the environment".
- *Animal Welfare Act 1985 (SA)*²⁹ - "promotion of animal welfare".
- *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*³⁰ -
 - "to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance";
 - "to promote the conservation of biodiversity"; and
 - "to assist in the co-operative implementation of Australia's international environmental responsibilities".

In terms of our international environmental responsibilities, Australia is a signatory to the international treaty to protect wetlands and waterfowl, known as the Ramsar Convention.³¹

Hunting of native birds in South Australia is detrimental to waterbirds and wetlands and therefore breaches Australia's obligations to this treaty. (See *Section 3: Ramsar Wetlands and International Obligations*, page 15.)

Respect

A respectful response is one that acknowledges community perspective and community values, and protects health, safety and wellbeing of humans, non-human species and the planet. The continued hunting of native birds in South Australia is clearly not respectful of South Australians, as demonstrated in the section above describing values, and the section below that describes community perspective.

Duck hunting is a cruel activity and clearly ***does not align with community values*** in 2023.

²⁶ <https://peo.gov.au/understand-our-parliament/how-parliament-works/system-of-government/rule-of-law/>

²⁷

https://www.legislation.sa.gov.au/_/legislation/lz/c/a/national%20parks%20and%20wildlife%20act%201972/current/1972.56.auth.pdf

²⁸ https://www.legislation.sa.gov.au/_/legislation/lz/c/a/environment%20protection%20act%201993/current/1993.76.auth.pdf

²⁹ https://www.legislation.sa.gov.au/_/legislation/lz/c/a/animal%20welfare%20act%201985/current/1985.106.auth.pdf

³⁰ <https://www.legislation.gov.au/Details/C2022C00214>

³¹ <https://www.ramsar.org/>

The **AJP values**³² are kindness, equality, rationality and non-violence, which all underpin our primary value of justice: the hunting of native birds is not aligned with AJP values.

Community Perspective

In a 2020 community survey,³³ South Australians indicated that they wanted the hunting of native birds in South Australia banned, and that this activity practised by very few South Australians had negative impacts to their lives. Of the respondents to the survey:

- 73% wanted duck and quail hunting stopped;
- 71% were deterred from visiting an area where shooters were present; and
- 74% would support their MP to push for a stop to hunting native birds.

Major animal and environment organisations want the hunting of native birds banned, including the Australian Veterinary Association (AVA),³⁴ Birdlife Australia,³⁵ RSPCA Australia,³⁶ RSPCA South Australia (RSPCA-SA)³⁷ and Animals Australia.³⁸ Other organisations, such as Australian Conservation Foundation, Friends of the Earth, and Bush Heritage Australia have registered their opposition to the hunting of native Australian birds in an open letter.³⁹

Community opinion across Australia has the cruel activity banned in three states (WA, NSW, Qld) and has triggered parliamentary inquiries in 2023 into hunting of native birds in South Australia⁴⁰ and Victoria.⁴¹

Duck hunting is a cruel activity; consideration of community values and community perspectives indicates it **does not meet community expectations** in 2023.

So, why is this activity still permitted?

Recommendations:

1. Ban the recreational shooting of all native birds in South Australia to be aligned with community values and perspective.
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³² <https://www.animaljusticeparty.org/about>

³³ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

³⁴ <https://www.ava.com.au/news/waterfowl-hunting-update/>

³⁵ <https://birdlife.org.au/news/victorian-government-allows-duck-shooting-to-go-ahead-in-victoria-this-year/>

³⁶ <https://kb.rspca.org.au/knowledge-base/what-is-the-rspcas-view-on-duck-hunting/>

³⁷ <https://www.rspcasa.org.au/the-issues/duck-hunting/>

³⁸ <https://animalsaustralia.org/latest-news/duck-shooting/>

³⁹ In an open letter to the Victorian Premier and Ministers, 2020. <https://www.aws.org.au/wp-content/uploads/2020/11/AGESuA07NAA15NOV.pdf>

⁴⁰ <https://www.parliament.sa.gov.au/en/News/2023/04/19/05/32/SUBMISSIONS-OPEN-Select-Committee-on-Hunting-Native-Birds>

⁴¹ <https://new.parliament.vic.gov.au/nativebirdhunting>

2. Cultural, social and recreational aspects

Violence and Blood Sports

Violent behaviour is more prevalent in people who engage in violent activities, like shooting and hunting. Hunters are significantly more likely to be abusive to animals or to damage property than non-hunters.⁴² This association between hunting and animal abuse is concerning given the well-established connection between animal abuse and violence towards people, in particular child abuse, elder abuse and domestic violence.⁴³

In Australia, on average, one woman is killed every nine days⁴⁴ by her partner or ex-partner and 83% of perpetrators of family and domestic violence (FDV) are male.⁴⁵ The annual cost of violence against women and children was estimated to be \$22 billion in 2015-2016 in Australia.⁴⁶ Recent changes passed through state parliaments in NSW⁴⁷ and Victoria⁴⁸ will address animals in family and domestic violence.

Continued violence against animals, including poisoning, trapping, shooting and hunting, is a driver of various forms of violence in our communities.

Regional Residents

In regional areas, residential homes and businesses are ***negatively impacted*** by a three-month long native bird hunting season.

Shooting occurs near some homes and ***disrupts the peace*** of regional living. Regional businesses suffer from a ***decrease in revenue*** as 70% of South Australians⁴⁹ have indicated they do not visit regional areas during duck shooting due to safety concerns and the inaccessibility of wetlands for nature-based activities.

⁴² Flynn C (2002) Hunting and Illegal Violence Against Humans and Other Animals: Exploring the Relationship. Society and Animals. 10(2): 137-54. <http://www.animalsandsociety.org/wp-content/uploads/2015/11/flynn1.pdf>

⁴³ Diemer K & Humphreys C (2021) In Victoria, animal abuse may soon be considered a form of family violence. Here's why that matters. The Conversation, 03 March 2021. <https://theconversation.com/in-victoria-animal-abuse-may-soon-be-considered-a-form-of-family-violence-heres-why-that-matters-156284>

⁴⁴ Australian Government (2021) Useful statistics: What we know about violence against women. National Plan to Reduce Violence against Women and their Children. <https://plan4womenssafety.dss.gov.au/resources/useful-statistics/>

⁴⁵ <https://plan4womenssafety.dss.gov.au/resources/useful-statistics/>

⁴⁶ KPMG Australia (2021) The cost of violence against women and their children in Australia. Final Report: prepared for the Department of Social Services, Australian Government. https://www.dss.gov.au/sites/default/files/documents/08_2016/the_cost_of_violence_against_women_and_their_children_in_australia_-_summary_report_may_2016.pdf

⁴⁷ NSW Government (2020) Domestic violence reforms pass Parliament. Media Release, 19 Nov 2020. <https://www.dcj.nsw.gov.au/news-and-media/media-releases/domestic-violence-reforms-pass-parliament>

⁴⁸ Andy Meddick MP (2021) Victorian Parliament votes for animals to be considered victims of family violence. Media Release, 03 Mar 2021.

<https://andymeddick.com.au/2021/03/03/victorian-parliament-votes-for-animals-to-be-considered-victims-of-family-violence/>

⁴⁹ <https://www.rspcasa.org.au/the-issues/duck-hunting/>

This is disproportionate to the declining 0.05% of South Australians who are licensed to shoot each year - less than 1,000 South Australians out of the 1.8 million population of South Australia.

One quarter of the people licensed to hunt native birds in South Australia are Victorian.⁵⁰

Native bird hunting in Victoria is currently being assessed through a parliamentary inquiry,⁵¹ and if it is banned, some of the 23,000 licensed hunters in Victoria are likely to seek licences in South Australia. Even if only 10% of these Victorian hunters seek a South Australian licence, that is 2,300 Victorians and would triple the number of licences in South Australia. It is therefore worth considering how regional Victorians are impacted by Victorian hunters during the native bird hunting season.

In Victoria, residents of regional communities report the horror of being awoken by gunshots before dawn for three months of the year and the disturbance to families,⁵² especially children and anyone with a history of exposure to violence. There are stories of finding dead birds or body parts of birds close to houses, and of shooters trespassing on private property looking for easy access to lakes. When asked to leave, residents have often reported mysterious acts of vandalism in following days to their properties. This timing is unlikely to be coincidental. Residents have sat outside and had pellets raining down on their roof, and had guns pointed at their family members from shooters not being mindful of the proximity of houses to wetlands.

It is ridiculous to allow a small minority of the South Australian population to have such a significant impact on communities across the state, for the purpose of allowing them to conduct a selfish recreational activity at great cost to other residents. Additionally, allowing interstate visitors, such as Victorian duck shooters, to have such an impact in regional areas is unfair. ***Duck shooting must be banned*** in South Australia.

Restricted from Enjoying Nature

For three months of the year, nature-based recreational activities on South Australian lakes and rivers are put on hold. South Australians are unable to take an early morning walk by many lakes or watch the sunset over the water from a kayak or sailboard. Visitors to areas near duck hunting sites may be awoken by gunshots or see men with guns outside the window of their holiday stay or hear gunshots if they visit a national park. Indeed, the National Parks and Wildlife Service, South Australia, warns people on their website⁵³ that:

⁵⁰ Data obtained through Freedom of Information: the number of licences to hunt native birds in 2023 - Duck licences: 1113 (861 South Australians, 252 Victorians)

⁵¹ <https://new.parliament.vic.gov.au/nativebirdhunting>

⁵² <https://www.theage.com.au/national/victoria/who-calls-the-shots-on-duck-hunting-in-regional-victoria-20210801-p58erm.html>

⁵³ <https://www.parks.sa.gov.au/know-before-you-go/closures-and-alerts/duck-hunting-season>

“Duck Hunting season begins 30 minutes prior to sunrise on Saturday 18 March 2023 to 30 minutes after sunset on Sunday 25 June 2023. Please note that during this period you may hear firearms discharging whilst visiting the below parks.

- *Beachport Conservation Park*
- *Butcher Gap Conservation Park*
- *Canunda National Park*
- *Coorong National Park*
- *Douglas Point Conservation Park*
- *Ewens Ponds Conservation Park*
- *Geegeela Conservation Park*
- *Lake St Clair Conservation Park*
- *Little Dip Conservation Park*
- *Mount Monster Conservation Park*
- *Padthaway Conservation Park*
- *Penambol Conservation Park*
- *Penola Conservation Park*
- *Piccaninnie Ponds Conservation Park*
- *Telford Scrub Conservation Park”*

Nature-based Tourism

In 2022 regional tourism reached a record high, contributing \$4 billion to the South Australian economy.⁵⁴ The South Australian government has a strategy and action plan to significantly develop nature-based tourism across the state, and has allocated \$5 million to the *Nature-based Tourism Co-investment Fund* to assist businesses and organisations to develop nature-based tourism initiatives.^{55, 56}

Nature-based outdoor activities support mental and physical health^{57, 58} and can therefore have positive impacts on the general health of South Australians, and reduce stress and costs in the South Australian healthcare system.

After the past few years of bushfires, floods and COVID restrictions, many South Australians are keen to support regional communities and maintain their own mental health with regional travel and weekend getaways. Many recreational activities revolve around watersports and nature.

⁵⁴ <https://www.premier.sa.gov.au/media-releases/news-items/media-release12>

⁵⁵ <https://www.environment.sa.gov.au/topics/park-management/statewide-park-strategies/nature-based-tourism-plan>

⁵⁶ <https://www.parks.sa.gov.au/park-management/nature-based-tourism>

⁵⁷ <https://www.sciencedaily.com/releases/2021/10/211007122209.htm>

⁵⁸ <https://www.sciencedirect.com/science/article/pii/S2352827321002093>

It is absurd that for 3 months of the year, nature-based recreational activities on South Australian lakes and rivers are put on hold so that less than 1,000 South Australians can shoot native birds and damage natural areas, while revenue that could be made within regional areas through nature-based activities and associated goods and services, such as accommodation and food, suffers.

Restricting access for over 99% of South Australians to hundreds of areas for 3 months of the year makes no economic or social sense. Conversely, the opportunities for regional tourism and especially nature-based recreation that is open to all, are endless.



Figure 1. Lake George located within the beautiful Beachport Conservation Park in Beachport

Impact on Indigenous Cultural sites

Wetlands are ceremonial and initiation sites, traditional grounds and boundary markers for Indigenous Australians. Evidence of the damage to Indigenous land caused by recreational shooting is well documented:^{59, 60} scar trees removed for use as firewood, cooking mounds destroyed and evidence of litter and human excrement left behind.

⁵⁹ <https://www.bendigoadvertiser.com.au/story/5071299/duck-hunting-blamed-for-damage-to-indigenous-history/>

⁶⁰ <https://www.theage.com.au/national/victoria/who-calls-the-shots-on-duck-hunting-in-regional-victoria-20210801-p58erm.html>

Recommendations:

2. Prioritise the safety of regional South Australian residents, businesses and communities.
 3. Invest in regional tourism initiatives that will create jobs, return income to regional communities and protect and showcase South Australia's natural beauty.
 4. Consult with local indigenous communities and consider signage at sites of cultural significance to increase awareness of them and to offer future protection.
-

3. Sustainability, environmental and animal welfare aspects of native bird hunting

Bird Abundance

Australia has the unenviable title of the mammalian extinction capital of the world. We have lost 38 species and potentially 7 subspecies since colonisation,⁶¹ and with current governmental attitudes towards preservation of species, we look set to follow this trend amongst our bird populations.

The 'Eastern Australian Waterbird Aerial Survey'⁶² is Australia's most significant study of native waterbird populations, having been conducted for 40 years following the same methodology allowing year-on-year comparison. This study has continued to find significant decreases in our waterbird populations, indicating that a cessation of unnecessary activities that further decimate these populations, such as recreational duck shooting, is warranted.

*"Despite two successive La Niña years three major indices for waterbirds (total abundance, number of species breeding and wetland area index) continued to show significant declines over time."*⁶³

Duck shooters claim that they are doing a 'community service' by shooting 'pests' and that banning recreational duck shooting will lead to an uncontrollable explosion of duck populations. However, the independent study conducted annually by UNSW, the 'Eastern Australian Waterbird Aerial Survey',⁶⁴ shows the exact opposite. Despite this being the 28th year for NSW

⁶¹ <https://theconversation.com/gut-wrenching-and-infuriating-why-australia-is-the-world-leader-in-mammal-extinctions-and-what-to-do-about-it-192173>

⁶² <https://www.unsw.edu.au/content/dam/pdfs/unsw-adobe-websites/science/bees/ces/Eastern-Australia-waterbird-aerial-survey-2022-Final.pdf>

⁶³ <https://www.unsw.edu.au/research/ecosystem/our-research/rivers-and-wetlands/eastern-australian-waterbird-survey>

⁶⁴ <https://www.unsw.edu.au/content/dam/pdfs/unsw-adobe-websites/science/bees/ces/Eastern-Australia-waterbird-aerial-survey-2022-Final.pdf>

and the 18th year for QLD since duck shooting was banned, native duck populations are in decline.

“Most game species of ducks had abundances well below long term averages, in some cases by an order of magnitude; six out of eight species continued to show significant long term declines... Grey Teal declined from the previous year. Australian Wood Duck was the only species above (slightly) the long term average. Some duck species declined in abundance compared to 2021 – Grey Teal, Pink-eared Duck and Hardhead.”⁶⁵

Additionally, the presence of ducks around some crops is beneficial. A symbiotic relationship can exist between rice growers and wild ducks,⁶⁶ where the ducks rid the area of pests and weeds and therefore have a regular source of food, and they also act to fertilise the soil.⁶⁷

Ramsar Wetlands and International Obligations

Australia is a Contracting Party to the Ramsar Convention,⁶⁸ which is an intergovernmental treaty that outlines a framework for conservation of wetlands. Australia has 67 Ramsar-listed wetlands⁶⁹ and 6 of them are in South Australia (see Figure 2).

Australia and South Australia have obligations under this treaty, including:

Article 3.1: *The Contracting Parties shall formulate and implement their planning so as to promote the conservation of the wetlands included in the List, and as far as possible the wise use of wetlands in their territory.*

Article 4.1: *Each Contracting Party shall promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the List or not, and provide adequately for their wardening.*

Article 4.4: *The Contracting Parties shall endeavour through management to increase waterfowl populations on appropriate wetlands.*

Duck hunting **does not support our international obligations** under the Ramsar treaty.

⁶⁵ <https://www.unsw.edu.au/content/dam/pdfs/unsw-adobe-websites/science/bees/ces/Eastern-Australia-waterbird-aerial-survey-2022-Final.pdf>

⁶⁶ <https://www.nationalgeographic.com/culture/article/want-cleaner-rice-paddies--consider-ducks>

⁶⁷ <https://www.permaculturenews.org/2016/09/15/use-ducks-rice-fields-control-weed-pest/>

⁶⁸ <https://www.ramsar.org/>

⁶⁹ <https://www.dcceew.gov.au/water/wetlands/australian-wetlands-database/australian-ramsar-wetlands>

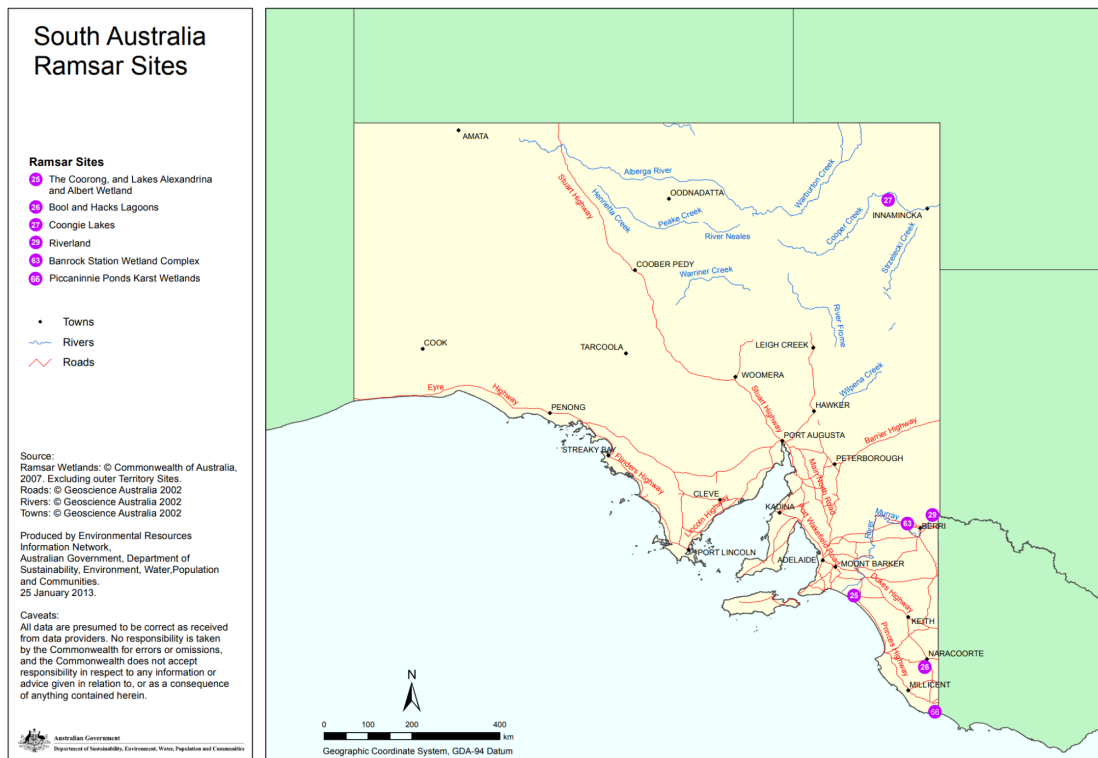


Figure 2 - Ramsar-listed wetlands in South Australia

(source: <http://www.environment.gov.au/water/topics/wetlands/database/maps/pubs/sa.pdf>)

Biodiversity Loss

The most recent *State of the Environment* report for Australia stated “*the state and trend of the environment of Australia are poor and deteriorating*”.⁷⁰ The biodiversity emergency in Australia has triggered a Senate Inquiry into Faunal Extinction⁷¹ and the final report of the review of the national *Environment Protection Biodiversity Conservation Act 1995*, The Samuel Review, is damning.⁷²

The 2018 *State of the Environment* report for South Australia⁷³ reported that “*Our native plants and animals are in serious trouble with many in decline and likely to become extinct*” and “*A predicted drier and warmer climate, together with the effects of flood, drought and other*

⁷⁰ <https://soe.dcceew.gov.au/overview/key-findings>

⁷¹ https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Faunalextinction2019

⁷² <https://epbcactreview.environment.gov.au/resources/final-report>

⁷³ https://www.epa.sa.gov.au/files/14003_soer2018_print-summary_cover.pdf

weather patterns, will progressively change the landscape in terms of species distribution and abundance."

The *United Nations Global Biodiversity Outlook 5* report recognises the Biodiversity Emergency and that we need to act with urgency to modify our actions in key areas.⁷⁴ It identifies eight critical transitions that are required to shift to a "sustainable coexistence with nature". One of these transitions is 'The biodiversity-inclusive One Health transition'. The goals are to manage ecosystems, including agricultural and urban ecosystems and wildlife, through an integrated approach to promote healthy ecosystems and healthy people.

If South Australia can act with urgency to employ this plan, we will be well-placed to preserve biodiversity and ecosystems and support the health and well-being of all South Australians, regardless of species. Recreational duck shooting is not in line with these objectives.

Duck species have a role in the ecosystem in which they live. The impact of significantly reducing any population of ducks, or eventually removing them entirely from an ecosystem (ecological extinction), is significant and potentially catastrophic for the long-term health of that ecosystem. Consequences can include changes in soil fertility, changes to vegetation and changes in abundance of other species (e.g. species on which the ducks feed, competitors, or predators).

Continuing to shoot ducks who are already experiencing population decline is irresponsible, a risk to South Australia's biodiversity, and must be banned.

Biosecurity Risks and Zoonotic Diseases

All human activities pose **biosecurity risks** to our ecosystems.⁷⁵ Humans can transfer microorganisms (*i.e.* bacteria, fungi or viruses) from one environment to another on clothing, footwear, vehicles or equipment. An example of a global biosecurity catastrophe that human activity has facilitated is the decimation of the world's amphibians by chytrid fungus.⁷⁶ In Australia, chytridiomycosis, the disease caused by chytrid fungus, has been listed as a threatening process to amphibians under the *EPBC Act*.⁷⁷ Hunters going into South Australia's wetlands can easily transfer microorganisms such as chytrid fungus, and therefore pose a biosecurity risk to South Australia's wetlands and biodiversity.⁶⁹

To an infectious microorganism (a pathogen), the next individual or species is simply the next host, the next habitat. Pathogens, including bacteria, fungi and viruses, do not discriminate.

⁷⁴ Secretariat of the Convention on Biological Diversity (2020) Global Biodiversity Outlook 5. Montreal.
<https://www.cbd.int/gbo/gbo5/publication/gbo-5-en.pdf>

⁷⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4663196/>

⁷⁶ <https://theconversation.com/the-worlds-worst-animal-disease-is-killing-frogs-worldwide-a-testing-breakthrough-could-help-save-them-205872>

⁷⁷ <https://www.dcceew.gov.au/environment/biodiversity/threatened/key-threatening-processes/chytridiomycosis-due-to-amphibian-chytrid-fungus>

Humans are merely another animal, another host, and if pathogens can transfer to a human and thrive, they will. The transfer of infectious diseases between animal species is highly important; it facilitates the spread of infections by dramatically expanding and diversifying the potential habitat for the microorganism and can lead to the emergence of new epidemic, or pandemic diseases.

Zoonotic diseases (diseases transferred from non-human animals to humans) are concerning because humans have little-to-no means to deal with them. They are new to our immune systems, which may struggle to respond. The diseases may also mutate, progress and spread unpredictably.

Such exposure primarily occurs on farms, during hunting or slaughtering animals, and at live animal markets. Animal farming, shooting, hunting and butchering animals are activities that place people in direct contact with blood, flesh, bone, tissues, organs, urine, faeces and skin of animals, and provide the perfect pathway for pathogens to move from dying, dead and dismembered animals to the people who are farming, killing and butchering them.⁷⁸

There are numerous **zoonotic diseases** that can be contracted by handling dead or injured infected ducks:

Avian flu

In recent years there have been serious outbreaks of Avian Flu In Australia⁷⁹ and overseas. These infections have spread between wild birds, domestic birds and humans in some cases.

For the past year, the largest ever outbreak of the H5N1 subtype of the virus has spread across farmed poultry and wild flocks in the US, Europe and Asia. It has caused mass mortality, with around 15 million domestic birds dying from bird flu over the past 18 months. More than 193 million birds have been culled to stop the virus spreading.

The virus has now been detected in a range of mammals: mink in Spain, foxes and otters in the UK, grizzly bears and dolphins in the US and seals in the Caspian Sea. This has caused concern that the virus may have mutated to become more easily spread in mammals – including people. Shooters are putting themselves and the broader community at risk by handling dead and injured ducks. Inadvertently, duck rescuers may also become infected, through no choice of their own.⁸⁰

⁷⁸ Jandu N (2020) Human activities are responsible for viruses crossing over from bats and causing pandemics like coronavirus. The Conversation. 13 May 2020. <https://theconversation.com/human-activities-are-responsible-for-viruses-crossing-over-from-bats-and-causing-pandemics-like-coronavirus-134226>

⁷⁹ <https://www.agriculture.gov.au/biosecurity-trade/pests-diseases-weeds/animal/avian-influenza>

⁸⁰ https://www.gavi.org/vaccineswork/five-things-know-about-whether-h5n1-bird-flu-outbreak-could-turn-pandemic?gclid=EAlaIQobChMtpTYmv76_QIVxsiUCR14wADYEAAYASAAEgJi4PD_BwE

It has only been 3 years since Agriculture Victoria and the poultry industry responded to Australia's largest avian influenza outbreak, first detected on 31 July 2020 near Lethbridge. In the following months three different strains were detected at six farms in three regions and in three different species. The disease was eradicated but the risks remain.⁸¹

Psittacosis

Psittacosis is a disease that can affect both ducks and humans. It is caused by the bacteria *Chlamydia psittaci*, which is found in the saliva, faeces, and respiratory secretions of infected birds.

Campylobacteriosis

In ducks, Campylobacter can cause an intestinal infection known as Campylobacteriosis. Colibacillosis is an infection caused by the bacteria *Escherichia coli*, and it can affect both ducks and humans.

Eastern Equine Encephalitis

Eastern Equine Encephalitis (EEE) is a virus that affects the nervous system of both ducks and humans. The virus is transmitted to ducks through mosquito bites, and it can cause severe neurological damage.

Newcastle disease

Newcastle disease is a viral disease that can affect many types of birds, including ducks. The virus is spread through contact with infected birds, or through contact with contaminated water, food, or equipment.

Cryptosporidiosis

Cryptosporidiosis is a disease caused by the *Cryptosporidium parvum* parasite. This parasite affects the gastrointestinal tract of birds, mammals, and reptiles and can cause severe diarrhoea. Ducks are particularly susceptible to cryptosporidiosis, and the disease is often deadly in young ducks. The parasite is transmitted through contaminated water, food, or contact with an infected animal.⁸²

Some zoonotic diseases may also involve other host animals, for example Japanese Encephalitis and Murray Valley Encephalitis are spread by mosquito bites from mosquitos who have bitten infected animals such as waterbirds. The conditions where these diseases thrive are inland riverine areas with mosquitos; where duck shooting takes place.

⁸¹ <https://www.goldenplains.vic.gov.au/news/one-year-avian-influenza-outbreak>

⁸² <https://www.thehappychickencoop.com/diseases-you-can-get-from-ducks/>

Recommendations:

5. Honour international obligations under the Ramsar Treaty by increasing waterbird populations and conserving wetlands throughout South Australia.
 6. Adopt the recommendations of The *United Nations Global Biodiversity Outlook 5* plan.
 7. Review South Australia's legislation related to wildlife to improve biodiversity outcomes and planetary health.
 8. Conduct a biosecurity risk analysis for South Australia's waterways, wetlands and riparian ecosystems to assess the impact of nature-based water activities on ecosystems, and the risk to human health from zoonoses.
 9. Support farmers to establish and employ regenerative farm practices to ensure long-term viability of their crops with minimal impact on native bird populations and biodiversity.
-

Animal Welfare

No inquiry into duck shooting can be complete without discussing cruelty and harm. The very nature of duck shooting is inherently cruel; shooting a cartridge filled with pellets means that it is inevitable that some birds will be indiscriminately hit and wounded, even if one bird is a 'clean kill', shooting into flocks of birds may still leave multiple others injured from the same shot. Waterbirds are clearly harmed.

In the *Animal Welfare Act 1985 (SA)* under 'Part 3 Animal Welfare Offences: Section 13 - Ill treatment of animals' harm is mentioned nine times. In the Act, both 'harm' and 'serious harm' are defined:

- *'harm means any form of damage, pain, suffering or distress (including unconsciousness), whether arising from injury, disease or any other condition', and*
- *'serious harm means— (a) harm that endangers an animal's life; or (b) harm that results in an animal being so severely injured, so diseased or in such physical condition that it would be cruel not to destroy the animal; or (c) harm that consists of, or results in, serious and protracted impairment of a physical or mental function;'*

Whilst duck shooters are required to retrieve any wounded birds and swiftly 'dispatch' them, a wounded bird may continue to fly or may fall into reeds or other areas difficult to retrieve them from, giving shooters the excuse that 'it's too hard' and therefore leaving birds to suffer.

In a recent survey by the Game Management Authority in Victoria, only 37% of shooters were able to correctly answer a question about how to minimise wounding.⁸³

It is impossible to engage in duck shooting without a degree of wounding and cruelty, therefore it is unconscionable to allow duck shooting to occur in South Australia at all.

Catch a sample of ducks in any area in which shooting occurs and X-ray them. *What will you find?* The first such study was in 1947⁸⁴ and describes astonishment at finding live ducks with pellets throughout their bodies.

They found ducks with healed wing fractures and even ducks who had been wounded multiple times by different types of shot in their bodies. In the following decades, similar studies kept finding the same things. Shotguns fire between 125 and 250 pellets in a dispersal pattern and many ducks will be hit but keep flying. Some will succumb after minutes, hours, or weeks, but others will recover to become representatives in such studies.

These studies can only ever reveal a fraction of the wounding rate as the ducks who die from their wounds will not be represented in such studies. In the 1970s and 1980s, US shotgun ammunition makers hung up living ducks⁸⁵ by the thousand and shot them from a variety of ranges with a variety of types of shotgun shells. These macro studies clearly show that even with perfectly aimed shotguns, wounding is both inevitable and significant.

Many studies by wildlife authorities estimate wounding rates by asking hunters. There are two problems with this approach. The first is that hunters cannot know whether or not they hit a duck unless it falls from the sky. If a duck keeps flying, then the hunter does not know if they hit or missed that flying duck. The second problem is that hunters may not remember, or confess to, all the ducks they know they hit, but did not pick up. Logically, hunters have a significant incentive to misrepresent their record for the sake of their pride and the better representation of their hobby to the general public. A Canadian study from the 1980s⁸⁶ reported that scientists watched duck shooters from hidden observation posts and found the hunters typically admitted to less than half the number of ducks that the scientists scored as being hit, but not retrieved. But even this study will have missed the ducks which kept flying although they were wounded.

This is the reality of duck shooting. The reasons that shotguns do not kill reliably comes down to the basic physics of the way shotguns operate and cannot be fixed by any kind of legislation. It may be possible to slightly reduce, but never eliminate, wounding rates. This is, however, just an admission that shooting water birds is cruel.

In South Australia, many acts of cruel behaviour were documented by the RSPCA at the opening of the 2023 duck hunting season.⁸⁷

⁸³ https://www.gma.vic.gov.au/__data/assets/pdf_file/0007/614194/GMA-Hunters-Knowledge-Survey-Report.pdf

⁸⁴ https://www.jstor.org/stable/3796289?seq=1#page_scan_tab_contents

⁸⁵ https://www.jstor.org/stable/3830469?seq=1#page_scan_tab_contents

⁸⁶ https://www.researchgate.net/publication/297382726_Monitoring_hunter_performance_in_Prairie_Canada

⁸⁷ <https://www.abc.net.au/news/2023-03-23/rspca-beachport-duck-hunting-video-ahead-of-inquiry/102130602>

Recommendations:

10. Amend the *Animal Welfare Act 1985* to recognise animal sentience and do not allow any activities which cause harm to sentient beings.
-

4. Economic considerations

Seven in 10 South Australians are deterred from visiting an area where shooters are present.⁸⁸ So they would not be keen to visit regional areas where hunting is permitted during the duck hunting season. These regional areas therefore lose business and revenue.

Taxpayer-funded reports have claimed outlandish economic benefit from duck shooting but they are based on shooters' self-assessment of what they contribute to the economy. These hunter surveys do not seek any evidence to back up shooters' claims of what they spend. Independent reports have consistently highlighted the flaws in the methodology of these reports. The most recent report, commissioned by the Deputy Nationals leader in Victoria and intended to promote the benefits of recreational shooting – essentially did the opposite. The \$335 million figure has factored in all 'game' from ducks to pigs, even including paintball.⁸⁹

Independent reviews have consistently highlighted the flaws in the methodology of these reports. The Australia Institute has completed two independent economic studies that considered the effect of a ban on duck shooting in Victoria; the 2012 study, *Out for a Duck*⁹⁰ and the 2023 submission to the Victorian Parliamentary Inquiry into Hunting of Native Birds, titled *The Duck Stops Here*.⁹¹ In both reports, the Australia Institute concluded there would be no negative economic impact and stated the expenditure would likely shift to other activities (e.g. hunting other species, camping, 4WD, fishing, kayaking etc).

We could not find any economic assessment of the ban on native bird shooting in South Australia, but we believe these reports based on the Victorian economy are relevant to this

⁸⁸ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

⁸⁹ <https://www.health.gov.au/sites/default/files/documents/2020/10/economic-and-social-impacts-of-recreational-hunting-and-shooting.pdf>

⁹⁰ https://australiainstitute.org.au/wp-content/uploads/2020/12/PB-44-Out-for-a-duck_0.pdf

⁹¹ <https://new.parliament.vic.gov.au/49b3c6/contentassets/eb5ec84005cc40b9bb4e434fc8147d6b/submission-documents/1879.-the-australia-institute.pdf>

inquiry. Significantly, the Australia Institute reported that:⁹²

- “Other states including NSW, Queensland and WA have ended duck hunting with no apparent economic impact”, and
- “Ending native bird hunting would have a minimal impact on the economy and would provide substantial benefits to residents and businesses near hunting areas.”

Recommendations:

11. Recognise that the banning of native bird hunting in South Australia will have no obvious economic impact.
-

5. Perspectives of First Nations

First Nations people should be consulted about their perspectives. The AJP has a position on First Nations.⁹³ Indigenous consultation has been recognised as an excellent way to learn more about protecting endangered wildlife and is part of the Australian Government's Threatened Species Action Plan. The SA Government also recognises that Indigenous knowledge is vital to conservation, and animals are culturally important.

Recommendations:

12. Consult First Nations people about their perspectives and recommendations regarding hunting native birds and its impacts on waterbird numbers and Country.
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6. How native bird hunting is managed in other jurisdictions

Recreational duck shooting is banned in Western Australia, Queensland, the Australian Capital Territory and New South Wales. Some crop-protection shooting still occurs but this has declined steadily as farmers change their methods of producing rice so that less water is used and

⁹² <https://australiainstitute.org.au/post/economic-benefits-duck-shooting-ban/>

⁹³ https://www.animaljusticeparty.org/first_nations

waterfowl are recognised as providing great benefit to the ecosystem.^{94, 95} Shooter numbers have also declined significantly in recent decades in all states which still allow the activity. This is a result of duck rescue campaigns and continued public opposition creating a continual erosion of the public licence for the activity and dramatically reduced tolerance for the general poor behaviour of duck shooters.

A quarter of people licensed to hunt ducks in South Australia are Victorian,^{96 97} and if duck hunting is banned in Victoria,⁹⁸ many of the 23,000 licensed Victorian duck hunters are likely to travel to South Australia to hunt ducks. Therefore, Victorian data is important and relevant to this inquiry. Also, we know a lot about the operation of annual native bird hunting seasons in Victoria, so this information can inform this inquiry - this is discussed below.

Operation and management of native bird hunting in Victoria

Game Management Authority

The Game Management Authority (GMA) is responsible for monitoring shooters during the season in Victoria and enforcing their compliance with the relevant legislation such as the *Wildlife Act 1975 (Vic)*, *The Wildlife (Game) Regulations 2012 (Vic)* and the *Wildlife Regulations 2013 (Vic)*. The GMA is understaffed and under-resourced, with approximately 20 officers per year responsible for monitoring thousands of sites (private property is included in their role).

In instances where the GMA have recruited additional support from other enforcement agencies including Victoria Police, Fisheries and Parks Victoria, these officers have been demonstrably under-trained and are inexperienced in the full range of potential offences which they need to observe.

The 2017 Pegasus Report⁹⁹ discusses the implications of GMA promoting hunting (Pegasus Economics 2017). GMA has been criticised for being 'neither impartial nor independent'. As an organisation paid to monitor compliance of the season, it is in the best interests of the GMA to continue to hold duck shooting seasons because they are financially dependent on it. This is a clear conflict of interest. Additionally, many members of GMA are involved in hunting themselves, creating further conflicts of interest and a bias in how they interact with duck shooters as opposed to duck rescuers.

⁹⁴ <https://agrifutures.com.au/wp-content/uploads/publications/08-032.pdf>

⁹⁵ <https://besjournals.onlinelibrary.wiley.com/doi/full/10.1111/1365-2664.13845>

⁹⁶ Data obtained through Freedom of Information: the number of licences to hunt native birds in 2023 - Duck licences: 1113 (861 South Australians, 252 Victorians); Quail licences: 196

⁹⁷ <https://www.rspcasa.org.au/flooded-habitats-another-reason-not-to-shoot-ducks/>

⁹⁸ <https://new.parliament.vic.gov.au/nativebirdhunting>

⁹⁹ https://www.gma.vic.gov.au/__data/assets/pdf_file/0011/481682/Assessment-of-the-GMAs-compliance-and.pdf

The logistics of holding a recreational duck shooting season make it impossible to effectively monitor. A handful of GMA officers covering thousands of locations, only during specified working hours that do not necessarily coincide with duck shooting times, monitoring wetlands from shore rather than from on the water, are incapable of policing the activity. Policing of an activity must occur where that activity occurs. Authorised officers attend virtually zero percent of private land shooting and only a fraction of known public shooting sites. Usually they only observe from the shoreline out of sight of the majority of the activity. If the government cannot ensure that an activity that involves the use of guns near homes, schools and shopping centres can be conducted safely and monitored closely at all times, it must not be allowed to continue.

Specified Hunting Areas and Game Reserves

The GMA lacks a reliable database of all legitimate locations for duck and quail shooting across Victoria. It is expected that the authority responsible for regulating an activity involving firearms should possess thorough knowledge of where that activity can take place. However, the legislation permits duck and quail shooting in state game reserves and specified hunting areas, while also allowing it in unspecified locations without any definitive list or guidelines to identify them.

As a result, it is impossible to determine how many wetlands in the state are closed to the public due to duck hunting, and the GMA lacks knowledge of the number of locations they need to monitor. Policing an activity without a clear idea of where the activity can occur and simultaneously making no effort to clarify that information leaves the regulations largely unenforceable in many areas of Victoria.

Shooter Behaviour - non compliance and Illegal shooting

Each season protected duck species are found by rescuers, shot and abandoned by duck shooters. In 2017, rescuers recovered hundreds of illegally shot protected species, including over one hundred of Victoria's rarest water bird, the freckled duck. Target species are also left behind, allowing hunters to continue shooting while ostensibly not exceeding their 'bag limit'.

The GMA recently conducted a general knowledge test in which less than 5% of shooters passed.¹⁰⁰ The survey found that 86% of participants didn't know how to kill ducks that didn't die instantly. 80% couldn't tell the difference between 'game' and protected species (See Figure 3 of an illegally shot coot) and 86% were unaware of the risk they pose to human safety.

¹⁰⁰ https://www.gma.vic.gov.au/__data/assets/pdf_file/0007/614194/GMA-Hunters-Knowledge-Survey-Report.pdf



Figure 3. *Illegally shot Eurasian Coot. Geelong, Victoria 2017*

A 2018 GMA internal report found that non-compliance within the shooting fraternity is 'commonplace and widespread'.¹⁰¹ Despite this, the GMA has historically failed to enforce hunting laws around recreational duck shooting including shooting with dogs, shooting without a licence, walking with a locked and loaded gun and shooting whilst intoxicated.

When the continuation of employment in the Game Management Authority is predicated on the notion that the native bird shooting seasons must continue, an incentive is generated for authorised officers to downplay the egregious breaches by duck shooters in order to protect the season. This likely accounts for the disparity between the GMA internal reports of shooter non-compliance and the public messaging GMA attempts to communicate of a well-regulated past-time. Despite this, the public have become aware every year of severe violations of the regulations by duck shooters, ranging from concealed massacres such as occurred at Box Flat in 2013¹⁰² to the killing of endangered species without consequence.

¹⁰¹ <https://www.duck.org.au/2018-pegasus-inquiry-into-the-game-management-authority/>

¹⁰² https://www.abc.net.au/news/2013-03-25/police-investigate-mass-slaughter-of-protected-birds/4592690?utm_campaign=abc_news_web&utm_content=link&utm_medium=content_shared&utm_source=abc_news_web

Shooter Accuracy

While obtaining a firearms licence involves passing a safety course, there are no requirements for applicants to demonstrate their accuracy or proficiency in using a firearm. As a result, duck hunters may not possess any shooting skills or abilities yet can still legally hunt and potentially injure ducks on a wetland with their licence.

This increases the incidence of wounding birds and of shooting protected species when shooting into flocks of birds.

Decision-Making

Each year, the GMA makes a recommendation to the government regarding the length and details of the duck shooting season. The Interim Harvest Model (IHM) is a new 'tool' that considers bird numbers, climatic conditions etc to guide and inform this decision making.

The IHM has only been in existence since 2021 and is therefore largely untried and untested. The model has not been reviewed by any independent panels, nor has it been peer reviewed. The IHM never recommends cancelling a duck season, no matter how low bird numbers or water levels and food supplies for birds are that year; it is just not an option within that model.

The IHM came into existence after scientific studies such as the Eastern Annual Waterbird Survey kept demonstrating decreases in bird population numbers which would suggest a need for a responsible government to end recreational duck shooting. This is suggestive to the public that the government wishes to evade the scientific consensus by introducing an alternative framework.

Legislation

The '*Wildlife Act 1975*' (Vic), one of the Acts relevant to duck shooting, contains a wide range of offences, however, it is confusing for the public to understand or respect the maximum penalties for some offences when they seem so disproportionate to others.

For example, the maximum penalty for removing sand from a wildlife reserve is 25 penalty units, whereas the maximum penalty for molesting or injuring wildlife is only 20 penalty units.

Also, under the *Wildlife Act 1975* (Vic), duck hunters are currently exempt from being charged with animal cruelty towards ducks under the *Prevention of Cruelty to Animals Act 1986* (Vic) if their actions that inflict harm, such as wounding or disturbing the animals, is aimed towards ultimately killing them. This legal provision allows for sentient animals to be subjected to fear, pain, and distress before their death, which is a form of legalised animal cruelty.

In contrast, wildlife rescuers who try to capture injured birds to provide them with veterinary care may unintentionally disturb or displace other wildlife in the process. However, they can still be charged with animal cruelty for their actions under the law for 'disturbing' wildlife.

These inconsistencies of law make it difficult for authorities with inadequate resourcing to be trained on the nuance of the law and to therefore adequately police duck shooting; therefore many offences are missed.

Recommendations:

13. Recognise that Victorian shooters, habituated in the poorly-managed Victorian system, and licensed to shoot in South Australia, cause detriment to South Australian native water birds and ecosystems.
 14. Appreciate the failures in the operation and management of native bird hunting in Victoria and use the knowledge to inform this Parliamentary Inquiry and consider the impacts in the South Australian system.
-

7. Any other relevant matter

The operation of annual native bird hunting seasons in South Australia

While Term of Reference (f) considers “*How native bird hunting is managed in other jurisdictions*”, no Term of Reference for this inquiry specifically considers ***the operation of annual native bird hunting seasons in South Australia***.

Some particular points to note:

- In South Australia, most shooting occurs in organised shoots on private property making duck rescue campaigns impossible.
- Victorian duck hunters have a large impact in South Australia: Almost one quarter of current licences for duck hunting in South Australia are held by Victorians.¹⁰³

Victorian Parliamentary Inquiry into Native Bird Hunting

There is a Parliamentary Inquiry into Native Bird Hunting in Victoria.¹⁰⁴ In 2022, there were 23,098 people licensed in Victoria to hunt ducks and 4,712 people licensed to hunt stubble quail (and other introduced game birds).

¹⁰³ Data obtained through Freedom of Information: the number of licences to hunt native birds in South Australia in 2023 - Duck licences: 1113 (861 South Australians, 252 Victorians);

¹⁰⁴ <https://new.parliament.vic.gov.au/nativebirdhunting>

Given that a quarter of the current duck hunting licences in South Australia are issued to Victorians, it is highly likely that thousands of Victorians are likely to apply for a duck hunting licence in South Australia if recreational hunting of native birds is banned in Victoria.

If 10% of Victorians licensed to hunt ducks in Victoria decide to apply for a South Australian licence, 2,300 Victorians will be applying. If these licences are granted, the number of duck hunting licences in South Australia will triple.

Recommendations:

15. Recognise that if recreational hunting of native birds is banned in Victoria, thousands of Victorians are likely to apply for a duck hunting licence in South Australia and this will be detrimental to South Australia's waterbirds and wetlands.
-

Conclusion

The government has repeatedly ignored the seriousness of species decline in an era of mass biodiversity loss and the threat of major extinctions, as birds face imminent threat from habitat loss and climate change.

The numbers of native water birds have clearly declined and continued seasons of native bird hunting will place further pressure on these populations. In addition, the presence of hunters in the wetlands places risk on whole ecosystems by threats such as biosecurity, pollution, and killing protected and endangered species.

Duck hunting is a cruel activity and clearly ***does not align with community values*** in 2023. The South Australian public have clearly condemned this cruel activity and, as such, the social licence has been largely withdrawn, pending the South Australian Parliament catching up to modern expectations and passing appropriate legislation.

Economically the benefit regional communities could receive from opening the wetlands to use by all, including international nature-based tourism is significant and probably under-appreciated.

A cruel, unpopular, socially irresponsible and badly managed activity has no place in South Australia. The South Australian parliament needs to ban this activity that is practised by so few South Australians.

This would allow South Australia to protect its biodiversity and take advantage of the great benefits that come with the end to recreational native bird shooting and the development of nature-based activities for all South Australians to enjoy.