

TRANSCRIPT

SELECT COMMITTEE ON VICTORIA'S RECREATIONAL NATIVE BIRD HUNTING ARRANGEMENTS

Inquiry into Victoria's Recreational Native Bird Hunting Arrangements

Melbourne – Friday 16 June 2023

MEMBERS

Ryan Batchelor – Chair

Michael Galea – Deputy Chair

Melina Bath

Jeff Bourman

Katherine Copsey

Bev McArthur

Evan Mulholland

Georgie Purcell

Sheena Watt

WITNESSES

Dr Liz Walker, Chief Executive Officer,

Ms Rebecca Cook, Head of Prevention, and

Ms Mhairi Roberts, Policy and Advocacy Manager, RSPCA Victoria.

The CHAIR: Welcome. All evidence taken is protected by parliamentary privilege as provided by the constitution and the provisions of the Legislative Council's standing orders. Therefore any information you are providing to the hearing is protected by law and you are protected against any action for what you say during this hearing, but if you go elsewhere in repeat the same things, those comments may not be protected by privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of the Parliament.

All the evidence today is being recorded. You will be provided with a proof version of the transcript following the hearing, and it will be ultimately made public and posted on the committee's website.

For the Hansard record, could you please state your name and the organisation you are appearing on behalf of.

Liz WALKER: Sure. Liz Walker, and I am CEO at RSPCA Victoria.

Rebecca COOK: Rebecca Cook, Head of Prevention at RSPCA Victoria.

Mhairi ROBERTS: Mhairi Roberts. I am Policy and Advocacy Manager at RSPCA Victoria.

The CHAIR: I might ask you to do your opening presentation, then we will get the committee members to introduce ourselves and start asking the questions. The floor is yours. About 5 minutes would be great.

Liz WALKER: Thank you for inviting us to speak here today. We are really grateful for the opportunity to speak to the committee.

Visual presentation.

Liz WALKER: The national RSPCA policy, agreed by all member societies, is that RSPCA is opposed to the hunting of native birds as it causes unnecessary injury, pain, suffering, distress or death. For most of the year native birds are protected under the *Wildlife Act*. However, during declared open seasons each year eight species of native ducks and one native quail species are permitted to be shot by licensed hunters using shotguns. It has been acknowledged by government under the sustainable hunting action plan that wounding is a consequence of hunting. Under the *Prevention of Cruelty to Animals Act*, POCTA, a person who wounds an animal commits a cruelty offence under the Act. However, POCTA does not apply to anything done in accordance with the *Wildlife Act*, which means that native birds can legally be wounded during open seasons each year. Native game birds are not afforded the same welfare protections as other animals during the open seasons, and this means thousands of birds suffer.

While RSPCA Victoria has inspectors who are authorised under POCTA, the memorandum of understanding between RSPCA Victoria and the Department of Energy, Environment and Climate Action outlines that the RSPCA Victoria inspectorate is not responsible for responding to animal welfare and cruelty complaints in connection with hunting activity and wildlife.

As a regulator, RSPCA Victoria appreciates the difficulty the GMA faces in trying to effectively enforce legislation. There are over 20,000 natural wetlands in Victoria, which cover an area of over 614,000 hectares, and most, 69 per cent, appear on private land. Victoria has a further 11,000 artificial wetlands. The GMA advised that their compliance officers attended 216 wetlands over the season, which equates to just 1 per cent of natural wetlands being visited. The GMA has a limited number of officers needing to attend a significant number of wetlands, and there is the added complexity that most of these are contained on private land. This is also true for quail, with 90 per cent of quail harvested on private land, making compliance and enforcement of quail hunting extremely difficult. While we acknowledge the difficulty of compliance over the sheer

geographic range, even if it could be thoroughly resourced, this still would not address the key welfare issue, which is that wounding is caused.

In 2017 the Victorian government published the *Animal Welfare Action Plan*, which acknowledges animals as sentient – that is, animals experience feelings and emotions such as pleasure, comfort, discomfort, fear and pain. Sentience is the primary reason that animal welfare is so important. We know that you have heard from ecologists about the decline of native waterbirds and the added pressure that hunting adds to these declining populations, which is of significant concern to us. Additionally, we will speak to the animal welfare implications, the most significant of which is the wounding of birds during the seasons, which in conjunction with the evidence showing the declining population, demonstrates that this activity should not continue. There is evidence to suggest wounding rates for ducks could be anywhere between 6 per cent and 40 per cent, meaning between 15,700 and 105,000 additional ducks were wounded and not killed outright in the 2022 season. The top range of this wounding rate, 105,000 birds, would be the equivalent of each seat filled at a sold-out AFL game at the MCG.

Using international research as a proxy to determine the number of quail wounded annually, as well as annual harvest data, approximately 57,000 quail are wounded and not killed outright every year. Wounded birds not retrieved and killed will suffer. Some will eventually die from their injuries, and birds with less serious injuries may survive with embedded pellets. Wounded birds can suffer from the pain and disabling effects of injury, from sickness due to wound infection or from thirst or starvation. Injuries to the bill often lead to the inability to drink or eat. Wing fractures are common, and as with other injuries, the wounded bird is at heightened risk of being taken by a predator. Wounded birds that are retrieved may also suffer where they are not dispatched humanely. Windmilling, or swinging ducks by the neck around in a circle, is a common dispatch method; however, this is not a humane method of killing ducks.

We would like to provide the committee with handouts of a report developed by market research firm Kantar to assess Victorians' attitudes towards duck and quail hunting. The data is a representative sample of Victorians weighted against ABS statistics, and the data shows that the majority of Victorians are opposed to duck hunting and that this has remained relatively stable over the last few years. Based on the data that we have presented in our submission to the committee, we believe that there is no way to sufficiently mitigate the negative welfare impact of hunting native birds, and therefore we recommend on this basis that native bird hunting in Victoria be banned. We welcome any questions.

The CHAIR: Thanks very much. I might ask the committee members to introduce themselves.

Katherine COPSEY: Katherine Copsey from Southern Metropolitan.

Georgie PURCELL: Georgie Purcell, Northern Victoria.

Sheena WATT: Sheena Watt, Northern Metropolitan.

Michael GALEA: Michael Galea, South-Eastern Metropolitan.

Melina BATH: Melina Bath, Eastern Victoria Region.

Jeff BOURMAN: Jeff Bourman, Eastern Victoria Region. Hello, Dr Walker.

Bev McARTHUR: Bev McArthur, Western Victoria Region.

The CHAIR: I am Ryan Batchelor from Southern Metro and Chair of the inquiry. I get to start asking the first questions. POCTA does not apply to duck hunting seasons. Should it?

Mhairi ROBERTS: I think it would be very difficult for it to apply because of the way POCTA is written. I think the example we gave is wounding is covered under POCTA. That would be an act of cruelty, so an offence under the Act. It would be very difficult, I think, to apply the Act, because I think inherently duck and quail hunting causes pain and suffering, and I do not think that would be able to be covered by the Act that is aiming to prevent cruelty.

The CHAIR: So if POCTA applied, or if organisations such as yourselves who have a role for the prevention of cruelty to animals were empowered to exercise powers under that Act with respect to bird

hunting, what practices would cause you the most concern and what steps would you be able to otherwise take in respect to those?

Liz WALKER: I think that is a pretty simple answer. The fundamental problem with duck hunting and quail hunting is wounding. All the data confirms that there are high rates of wounding: 6 to 40 per cent for ducks, around 33 per cent for quail. And even in jurisdictions where there has been a sustained effort to reduce that, the levels that have been achieved still sit at around 10 per cent and fluctuate, but they do not go below. That level is still unacceptable, and for that reason the wounding remains unacceptable and this practice is unacceptable. That is the problem.

Mhairi ROBERTS: And I think to add to that as well, then there are flow-on effects of wounding, so the dispatch of downed ducks I think is also extremely problematic. I think that has been acknowledged by the GMA, who developed guidelines for hunters to address that problem. Windmilling is really problematic, and it was acknowledged in those guidelines that that is not an acceptable form of dispatch. The forms that were acceptable included things like pithing and cervical dislocation, which we have concerns with too because you need to be competent to be able to perform that effectively, and if you do not, it is extremely inhumane.

The CHAIR: How difficult is it to humanely dispatch a wounded bird?

Mhairi ROBERTS: I think it would be quite difficult based on the available methods that could be used. Cervical dislocation – the key thing is that you need two hands to be able to do it, and the feedback provided by hunters as part of the development of those guidelines was that they did not have two hands available and would need to put their gun somewhere. Also even some of our vets that specialise in this and that were consulted as part of the development of that said they would not be confident in performing cervical dislocation on birds. So I think based on that I would suggest that it is very problematic.

Rebecca COOK: Can I just add one thing: in addition to that I think that there would be great difficulty locating a lot of the birds and retrieving the birds. There are a lot of birds that are not retrieved, that are left wounded, so it does not really account for those that we are not able to find.

The CHAIR: We had evidence from Field and Game in their submission that sometimes the environment – thick reeds, deep water – makes that practice difficult, retrieval difficult. Is there any evidence that you are aware of that would demonstrate the ability of hunters to retrieve wounded animals and what sort of conditions make that problematic?

Mhairi ROBERTS: I am not aware of any evidence.

Liz WALKER: I think that the real point here is that it is the act of shooting the ducks that causes enormous rates of unacceptable wounding, and that is the problem.

The CHAIR: Because the report mentions the public attitude survey, I was going to ask you for a copy of it, but it is here, so that deals with that relatively quickly. I am interested in sort of how attitudes might have changed over time. Have you got any evidence in here as to evidence that Victorians' attitudes to the practice have changed over time?

Mhairi ROBERTS: We do for duck hunting, not for quail hunting. It has remained relatively stable over time. Between 58 and 70 per cent of Victorians have been opposed or strongly opposed to duck hunting, so that has been quite stable. I know there have been other studies done in the past where opposition to duck hunting has been even higher than that.

Rebecca COOK: It is on page 10 of the handout as well.

Mhairi ROBERTS: No, that is quail.

Rebecca COOK: Oh, that is quail, sorry.

Jeff BOURMAN: Excuse me, Chair, point of order: it has been brought to my attention that other people making contributions were limited to three slides, and that is a lot more than three slides.

The CHAIR: I am not aware of the limitation that was –

Jeff BOURMAN: Well, we might take that one offline, but I have been contacted by someone who made a submission and was going to make a presentation and were told they were limited to three slides.

The CHAIR: I certainly was not aware of that.

Jeff BOURMAN: Right. So we will move on from there and we will deal with it offline.

Liz WALKER: Excuse me. We were aware of the three slides, and there are three slides of content and just a top and a tail that say hello and goodbye.

The CHAIR: Sure. I am less perturbed by slide counts and more concerned by presentation lengths. I might just leave my contribution there, to be honest. I have lost my train of thought. Ms Bath.

Melina BATH: Thank you for appearing before us today. Ms Walker, this is in regard to your submission to the inquiry. I am surprised and disappointed that a non-government, community-based, government-funded and well-recognised charity would submit a report that in my opinion has rubbery assumptions and extrapolates from – my opinion – unscientific evidence or other reports. In this report, in your submission to us, you reject the DEDJTR 2020 RMCG economic contribution of duck hunting 2019 report, saying it has out-of-date figures, but you then heavily reference a 2012 Australia Institute report that is absolutely of weak assumptions – and I have got it before me here – and you also reference another report that looks at people who go on holiday and like to look at wildlife but would also say that they do not want to go out on a wetland while duck hunting was occurring as a reason to shut down duck hunting. Your report also states seven out of 10 Victorians want it banned, so 30 per cent of the population, obviously then from that, do not want it banned. It also states that 2 per cent of the population partake in duck hunting and then 99 per cent are not supportive. These are very rubbery figures at best. How can you as a regulatory body really put these submissions, put these inconsistencies, before us?

Liz WALKER: Thanks for your question, and thank you for reading our submission so thoroughly. We have quoted evidence and data that is publicly available, and we have made clear how we interpret those. We have Kantar data that talks to what the community thinks around hunting and what the alternative actions might be. But what we are really here to talk about today is animal welfare, and the really big problem with duck and quail hunting is wounding and the unacceptable and unnecessary wounding which means that tens of thousands of animals will suffer. That is our focus, and that is what we are here to talk about too.

Melina BATH: Thank you. It is your stated policy that RSPCA is opposed to hunting of any animal, as you say, for sport. Clearly duck hunters, and we have heard them today, would argue that it is not sport but it is harvesting for food. I am interested in your position on fox hunting. Are you opposed to fox hunting, rabbit hunting? Rabbits are pests. Are you opposed to rabbit hunting? What about fishing? Fishing is seen as a sport. Are you opposed to fishing? Can you clarify that you are opposed to all forms of hunting, and can you go through the things that I have asked?

Mhairi ROBERTS: Yes, I am happy to speak to that. We acknowledge that there are pest animals that are declared under the *Catchment and Land Protection Act* in Victoria, and we acknowledge where it is demonstrated that they do damage our ecosystems and have an impact on the welfare of our native animals. We would accept control of those species under a government managed and supervised program, and that could include use of recreational hunters where they are under that program and deemed to be competent. For us, we would always look at the welfare outcomes for animals, to address that question, but we do acknowledge the impact that introduced species can have on other species. In terms of fish I would probably have to take on notice our exact policy, but I would be happy to bring that back to the committee.

Melina BATH: Thank you. And your stated position on livestock farming – do you want to shut down livestock farming?

Mhairi ROBERTS: That is not the policy of the RSPCA.

Melina BATH: Great. Thank you. On one of your studies you quote – and you referenced it before – there is one study in 1977 that an estimated 14 to 33 per cent of birds were wounded. Then you quote another study: 16 to 19 per cent of captured birds were carrying shot – so they were wounded, but they survived. Based on that, you have got 14 per cent of wounded ducks died. You then cite the GMA report: 6 per cent to 40 per cent.

So you have gone with the heavy, and we have seen the heavy red ducks here with the 40 per cent, but it could well be 6 per cent. Is it just the reality that, to my mind, you are cherry-picking data, or is it really the truth that it is very hard to be accurate on wounding numbers – wounding specifics?

Mhairi ROBERTS: I am very happy to answer that. We can only use the data that is available. We acknowledge that it is quite old, from the 70s. That is not scientific best practice, to have data that is that old, but there is nothing else that is available for us to draw on. There have not been any recent studies conducted – otherwise if there had been, we would have cited those instead. We just present to you the information that is available.

Liz WALKER: And I think it is also important to note that the government has actually agreed with the wounding rate of being up to 40 per cent.

Bev McARTHUR: The government has agreed?

Liz WALKER: The Game Management Authority.

Melina BATH: Thank you very much. Eighty-eight birds were left on Treasury Place last month. It has been presented back through the GMA that 47 of them were shot and had wounds and shot in them. Forty-one had no shot. I am interested to understand whether the RSPCA endorses the collection of ducks out of season dying through natural causes to be frozen and then presented as a demonstration later on?

The CHAIR: Just briefly.

Rebecca COOK: That has never happened.

Liz WALKER: I do not think that is for us to answer, but one of our key roles at RSPCA is to enforce the law. We would never endorse unlawful activity.

Melina BATH: Thank you.

The CHAIR: Thank you. Ms Copsey.

Katherine COPSEY: Thank you. The RSPCA has some inspectorate functions, and I am just interested in your perspective on the task that is faced in terms of enforcement of current restrictions around wounding. The terrain that officers need to operate in – you have touched on the large geographic area. Given those limitations, do you have confidence that we have got the ability currently to police the regulations that apply to duck hunting in Victoria with the resources that are currently available?

Liz WALKER: I think our presentation was pretty clear that the scale and scope of the enforcement and compliance requirements are enormous, and even if additional resources were applied they still would not prevent the primary problem, which is wounding.

Katherine COPSEY: There was some discussion from the previous witnesses around the paucity of evidence available to determine wounding rates. If you would not mind just stepping through the evidence that you have provided around wounding rates and your level of confidence around what we know and what we know we do not know in terms of animal wounding.

Mhairi ROBERTS: Yes. As I said just before, the information is old. I know the Game Management Authority has just started undertaking some more research looking into birds that they capture that still have embedded shot, so that gives some indication of, I suppose, what is still happening in the field. I think the difficulty lies in birds that might have died from their injuries, succumbed to their injuries. They are obviously not going to be picked up as part of a wounding research program, so I think there are always going to be difficulties with that work. We would not necessarily suggest that this research is undertaken, because we think that the evidence already exists which demonstrates that there is wounding and it is unacceptably high. They have done research in other countries as well for birds that are shot with shotguns. We know wounding exists. I think it has been clearly demonstrated, and we do not think that it can be adequately mitigated.

Liz WALKER: And I think I could just add to that, the evidence around the impact of using shotguns is very, very clear. It is true that data in Australia has got some age on it, but there is some more recent

information from Denmark, for instance, where the wounding is very clear and the steps to mitigate it still have not been able to reduce it to a level that is acceptable.

Katherine COPSEY: Thank you. My last question: there was an assertion from the previous witness's submission that if a duck is wounded and then can be caught by a human, it was probably going to die anyway, but if a duck is wounded and then escapes collection by a human, it was probably likely to survive. Do you have a view on the accuracy of that assertion?

Liz WALKER: I think that that is nonsense.

Katherine COPSEY: Thank you.

The CHAIR: Mr Galea.

Michael GALEA: Thank you, Chair. Good morning. Thank you for joining us. In your submission you have referenced comparisons with other states – WA, New South Wales and Queensland – that progressively over the last three decades have outlawed the practice of native bird hunting. I would be interested in, especially in light of this survey as well – are you aware of social attitudes in those states particularly since bird hunting was abolished there? Have social attitudes hardened against the practice, or has there been a pushback to bring back native bird hunting in those states that you are –

Mhairi ROBERTS: I am not aware of any data, but we could take that on notice and look into that.

Rebecca COOK: I think the other thing to note is that there has been a push in other states – for example, South Australia – where there has been momentum to also move towards looking at and reviewing duck hunting.

Michael GALEA: Yes. Thank you. I know we have heard, at least in one other jurisdiction – in New South Wales, where it has been abolished – reports of birds having to be shot for pest control reasons. What is your position on that?

Mhairi ROBERTS: Yes. As I said before, we would take the same position. We know that there is already a mechanism in place in Victoria if that was an issue, but based on the data available and the long-term declines in bird numbers, we do not believe that that is going to be an issue in Victoria.

Michael GALEA: Okay. Just to go back to the last one again, I appreciate you taking it on notice, but you are not aware of any major push towards the reintroduction of native bird hunting in those states?

Mhairi ROBERTS: No, we are not aware of that.

Michael GALEA: Thank you. If we can take a broad sense, but also Victorian, just to clarify – I have got to say my colleagues Ms Bath and Ms Copsey asked some very good questions, because I had some similar ones in mind. But just to be clear, in terms of feral and introduced species, you are in favour of control measures for those animals, such as deer and other –

Liz WALKER: Yes.

Michael GALEA: Thank you. Again this might be touching on what Ms Copsey touched on, but in terms of your role of being involved with, for want of a better word, enforcement or tracking of it, as well as your publicly stated positions and, as with you today, your advocacy, is there a conflict inherent in your taking up both those responsibilities?

Liz WALKER: I will answer that one. That has certainly been stated before, and we would argue very clearly that that is not the case. In 2016 we had an independent review into the RSPCA inspectorate, and that was conducted by ex-Chief Commissioner of Police Neil Comrie. In that review he made it very, very clear that RSPCA Victoria are experts in animal welfare and animal cruelty investigations. He also made it very, very clear that RSPCA has a very important role to play in advocacy and working with government and industry stakeholders and the community to help animals be cared for better. We have a very clear advocacy framework at RSPCA Victoria, and we do that by using the evidence, understanding the facts and the risks and working with all stakeholders to actually understand the issue and to advocate for improvements.

Michael GALEA: Thank you. In your presentation you cited wounding as your principal concern. There is, as you know, a wounding reduction action plan, which I believe you may have had some involvement in as well. Do you believe that this is sufficient?

Mhairi ROBERTS: No, we do not think it is sufficient. I think the measures in there do not go far enough. For example, the mandatory testing is only for prospective hunters, so it is not going to look at the 20,000 hunters that are currently registered to hunt duck. We do not believe that even putting significant resources into that is going to significantly mitigate the wounding of our native birds.

Michael GALEA: And you have also cited in your submission data from the GMA that says the wounding rate can be anywhere from I think 6 to 40 per cent. I know you are sort of focused on the 40 per cent end of that, and understandably that may well be the case if it is within that range, but are you aware of any other data that shows more accurate levels of wounding, either in Victoria or in other jurisdictions with similar arrangements?

Mhairi ROBERTS: I think the newer data has been done in Denmark, and it still shows that there is a crippling rate of 0.11 of juveniles and I think it is 1.99 of adult birds, so it still quite substantial. In saying that as well, those are larger birds, so you could assume it would be worse here, where the target that hunters are shooting at is smaller. So we would say that even with the concerted effort that has been undertaken in Denmark, you cannot significantly mitigate the risk of wounding; it is an inherent issue in hunting.

Melina BATH: Is that larger ducks?

Mhairi ROBERTS: Geese. They are geese.

Melina BATH: Geese. Thank you.

Liz WALKER: The 6 to 40 per cent does sound like a large range, but when you consider that the average number of ducks that are killed in a hunting season is around 300,000, it still translates to, you know, 15,000 to 20,000 ducks that are going to suffer immeasurably.

Michael GALEA: Even at the lower end, yes.

Liz WALKER: Correct.

Michael GALEA: I think that is my time. Thank you.

The CHAIR: Mrs McArthur.

Bev McARTHUR: Thank you very much. Let us face it, you have become an activist organisation as opposed to a welfare organisation, funded by the taxpayers of Victoria. For a supposedly credible organisation, referring to 40-year-old studies is surely an indictment on how you are presenting your evidence. But I want to go to your submission, where you state that no regulating body can ensure the rules are being followed by thousands of shooters spread across public game reserves and private property. So how does the RSPCA achieve its regulatory function, covering hundreds of thousands of animal owners over the entire state or country, and is it the opinion of the RSPCA that regulators can only be effective if looking over every shoulder?

Liz WALKER: First up, I want to completely disagree with your assertion that we are an activist organisation. That is absolutely not the case, and I have explained already how we undertake our advocacy and why our roles are important. In terms of funding, I want to be clear on this too: we receive \$2.3 million a year from the state government –

Bev McARTHUR: Say that again. Sorry, I missed it.

Liz WALKER: We receive \$2.3 million a year from the state government to fund our inspectorate, which costs –

Bev McARTHUR: \$2.3 million a year from the taxpayers of Victoria.

Liz WALKER: and every single cent is spent on the inspectorate, which costs us around \$7.7 million a year to run. We acquit against that, and we audit independently. We are 70 per cent funded through generous community donations.

Bev McARTHUR: It might well be, considering that.

Liz WALKER: When it comes to our inspectorate function, it is an enforcement function – not compliance and enforcement; it is enforcement. We respond to cruelty reports. We receive and respond to over 10,000 cruelty reports a year with our 31 inspectors. We are acknowledged in the review by Neil Comrie and ongoing as performing an excellent service on behalf of the Victorian community and the Victorian government.

Bev McARTHUR: So would you agree, then, if you respond to cruelty reports, that the shooting of brumbies in the High Country is in fact cruel? They are shot as they move – sometimes from an aerial target, sometimes on the ground. Moving animals are shot in the flank and left to die, and foals are left to die because their mothers have been shot – is that cruel?

Mhairi ROBERTS: I think that question is best referred to Parks Victoria. I am sure you could discuss with them what the wounding rate is of their programs.

Bev McARTHUR: But you are in charge of the welfare of animals, aren't you?

Mhairi ROBERTS: Those programs are undertaken under separate legislation to what we enforce.

Bev McARTHUR: So do you support the shooting of brumbies in the High Country?

The CHAIR: Order! Mrs McArthur, can you let the witness finish answering the question, please?

Mhairi ROBERTS: We are here today to talk about ducks and duck welfare and the shooting of native ducks. We are not here to talk about feral horses.

Bev McARTHUR: Well, it is most interesting also that you do not have a position on fishing.

Mhairi ROBERTS: We do have a policy on fishing.

Bev McARTHUR: But you cannot tell us what it is.

Mhairi ROBERTS: We have a lot of policies on a lot of animal welfare issues.

Bev McARTHUR: Well, perhaps you could find it by the end of your period. Let us go to section 3.2 of the RSPCA submission, where you state:

RSPCA Victoria believes there is no acceptable level of wounding and does not believe that there is the necessary appetite in Victoria for embarking on a resource-intensive wounding reduction program as it is not possible to eliminate wounding entirely.

So does this mean that you will be removing the RSPCA from the wounding reduction action group?

Mhairi ROBERTS: Wherever activities in Victoria are legal and they impact on the welfare of animals, RSPCA Victoria will always work within the framework to try and mitigate some of the negative animal welfare impacts that those activities have. So wherever it continues, we will continue to participate to try and work towards reducing some of those animal welfare issues.

Bev McARTHUR: Section 3.5 refers to identification and risk to threatened species. The RSPCA is obviously aware that shooting threatened species is illegal. This year the GMA has charged one hunter with this offence. Given the GMA issued five banning notices to non-hunters, should we completely ban protesters from the wetlands?

Mhairi ROBERTS: Well, if you ban hunting, there will be no role for the protesters to play.

Bev McARTHUR: Oh, do not guarantee that. Regarding the identification and risk to threatened species, when asked about the risk to threatened species, Professor Kingsford stated that:

... the data seems to indicate that it is not a major issue ...

Why are you making assertions to the contrary?

Rebecca COOK: I would suggest that we are not. We are suggesting that the added pressure of hunting is not going to improve the declines in population.

Bev McARTHUR: But we have just heard that in New South Wales, where there is no hunting, there is a decline in bird populations because of the habitat loss – nothing to do with hunting. Do you not accept that?

Rebecca COOK: No. We have said that –

Bev McARTHUR: Decline and habitat loss are not an issue?

The CHAIR: Mrs McArthur, can we let the witness finish, please.

Rebecca COOK: I think the point that we are trying to make is that on top of the habitat loss, hunting creates additional pressure.

Liz WALKER: And of course the wounding and the wounding rate mean that the suffering for these animals is considerable. It is completely unnecessary, and that is our point.

Bev McARTHUR: Let us go to section 5.2, 'Stubble quail abundance in decline'.

The CHAIR: That is your time, Mrs McArthur. Ms Purcell.

Georgie PURCELL: Thank you, Chair. And thank you for all appearing today. I just wanted to touch on the comments made by Ms Bath before in terms of wounded birds being used in displays. I understand that the RSPCA does not have any involvement in that. But I am hoping that you can touch on it, because I get the impression that some people might not understand the way wounding can present and the fact that just because shot is not found in the body does not mean a bird is not wounded. On those comments that were made at PAEC, that was exactly what was said as well, which was that it could not be determined. Can you please explain to the committee the different ways in which wounding can happen and also some of the injuries that birds receive as a result of wounding?

Mhairi ROBERTS: Yes. I think there is really a scale when it comes to wounding. It could be from embedded shot. There could be wing fractures. There could be ongoing issues from starvation and thirst, depending on what the injuries are. Also wounding can be cumulative over time, so if a bird survives one season, it could be wounded again the following season. We do acknowledge that some birds could be wounded and survive; we would say that they are living with a decreased quality of life. So I think the impact on birds can be quite broad. I think there are other concerns to note too in terms of disturbance on wetlands, so where birds might not be directly wounded. Similarly with quail, hunter disturbance can have impacts on bird behaviour and breeding. So there are a range of factors that impact on the welfare of native birds.

Georgie PURCELL: Great. Thank you for that. I just wanted to confirm for the information of the rest of the committee: wounding can occur by shot passing through the body and exiting the body?

Liz WALKER: Yes.

Georgie PURCELL: Thank you. You touched before on the wounding action plan put together by the GMA. Can you please explain in some more detail about how the species used for this research in Denmark cannot be applied here in a meaningful way?

Mhairi ROBERTS: Yes. I think the key thing to note is that they are different species. In Denmark they are hunting geese, so they are a taller bird; they weigh more. I think that will be a key difference when looking to apply a similar program here. I think it is also worth noting that it took them a very significant amount of time to reduce wounding, and as soon as they stopped that concerted effort they noted that wounding increased in that period – they could not stop that effort, otherwise wounding increased. They also have continually been monitoring wounding, which is not something that we have been doing in Victoria as well, so that also makes it really difficult to demonstrate that any impact is being reduced without that monitoring.

Liz WALKER: I think it is fair to say too, isn't it, Mhairi, that the wounding rate that they managed to get it down to at times is still 10 per cent.

Mhairi ROBERTS: And I mentioned earlier as well that cumulative effect over time. The adult birds also had a higher incidence of crippling. I think they looked at the crippling rate compared to the number of birds bagged, and that was much higher in adults than it was in juveniles.

Georgie PURCELL: Thank you. In your presentation I think you touched on that around 1 per cent of wetlands were monitored over the past duck-shooting season. In your opinion, if duck shooting were to continue in Victoria in the way that it does and in all the locations that it happens at, do you believe it can ever be properly monitored and regulations properly enforced?

Liz WALKER: It is hard to imagine how that could be achieved, but in any case it still does not mitigate the fact that we are using shot, the wounding rates are unacceptably high and there is nothing we can do to get them down.

Georgie PURCELL: Thank you. A recent survey by the GMA about the dispatching of wounded ducks, which I know you touched on before, and the methods to do so, found that 87 per cent of shooters failed that test on dispatchment methods. Can you touch on some of the methods that you have witnessed or received evidence of happening in Victoria over the years? We spoke about windmilling earlier on, and Field and Game claimed that it was not a common practice. A number of witnesses said they had never seen it in their time in duck shooting. Could you touch some more on the methods and also if you believe at one point or still now windmilling is common?

Mhairi ROBERTS: We obviously do not attend wetlands, so we will not comment from a firsthand perspective, but –

Bev McARTHUR: Oh, well, you should be out there, shouldn't you?

The CHAIR: Order!

Mhairi ROBERTS: I think the amount of footage that was produced following opening weekend really demonstrates that there was quite a substantial amount that showed windmilling was still in practice, so I would say, based on that, it is still happening with some hunters. I think it is pretty evident that that still occurs.

Georgie PURCELL: Do I have time for one more?

The CHAIR: You have got 10 seconds.

Georgie PURCELL: Okay, I might leave it there, then. Thank you so much.

The CHAIR: Ms Watt.

Sheena WATT: Thank you for appearing before us today and for a very substantial submission. I have taken the time while other witnesses have presented to look through the research. There were some interesting findings, and I might in some of my questions go to that. At the beginning I want to ask a little bit about section 6 of your submission, which speaks to nature-based tourism, and I am interested to really explore the economic alternatives to duck hunting. Do you think waterfowl would have the same attractive qualities for the state and state tourism as, say, other bird species – I am thinking about penguins in particular? Do you have anything that speaks to the attractiveness of waterfowl for a tourism and nature-loving audience?

Rebecca COOK: We do not have anything per se that comes to mind. Certainly in our submission we talked to a BirdLife research report that talks about the amount of money that birdwatching contributes and it being one of the highest ecotourism activities.

Sheena WATT: That \$283 million in section 6.1?

Rebecca COOK: Yes, that one. But we do not have any specific information on waterbirds per se. We have, as you will see in the submission, asked people about their avoidance of areas where hunting is going on. We think there are good opportunities for people to use those facilities for other activities. So we certainly think that

there are good opportunities for people to see waterbirds and enjoy them as part of, obviously, other types of outdoor activities.

Sheena WATT: Okay. Lovely. Further to that, we know that these are sometimes very hard to reach areas for birdwatchers and others to see. Do you have any views about the required infrastructure to really support waterfowl tourism activities and what that might actually look like? I am just trying to understand how we turn it from hunting grounds into grounds of enjoyment and recreation for birdwatchers that are meaningful and widely accessible for people?

Rebecca COOK: There are probably people who are more expert than us in looking at that sort of ecotourism angle, I would say.

Sheena WATT: Yes. All right. I just thought to ask given you did speak to it. Where do you think current protections such as the waterfowl identification test – another question altogether – have failed in protecting endangered species in particular?

Mhairi ROBERTS: I think the key problem with the waterfowl identification test is that hunters take it as a once-off. Irrespective of how long they might hunt for, they only have to take that test once, so that assumes that, I suppose, they have a very good memory of their learnings before taking that test. We know based on anecdotal evidence that non-game species are shot during the seasons, so I am sure that is a question that could be asked of Wildlife Victoria. We know over opening season they did see –

Sheena WATT: We have got them later this afternoon.

Mhairi ROBERTS: yes – some of those non-game species. And I think that demonstrates, really, that the WIT either is not effective or shooter competency is not effective or they are firing from longer than their effective distance for shooting as well – they are hitting perhaps other species that they were not targeting.

Sheena WATT: Do you have any recommendations that speak to the changes for the waterfowl identification test, whether that be around frequency or retesting or any other – apart from obviously the position that you have as an organisation, which is around no hunting.

Mhairi ROBERTS: It would need to be undertaken much more regularly rather than as a once-off if duck hunting was to continue in order to provide some confidence that hunters can correctly identify game ducks. We know from the report Georgie mentioned that when hunters were asked questions that related to identifying game duck species many of them answered those questions incorrectly.

Sheena WATT: Any other supplementary testing that you think could further support that – the education piece around hunters?

Mhairi ROBERTS: I think proficiency testing. Ensuring that hunters can competently shoot would be very important if duck hunting was to continue.

Sheena WATT: Okay. Lovely. Any other pieces to that around –

Rebecca COOK: I think it is probably important to add that regardless of the testing, we think that the wounding rate and the opportunity for wounding that hunting provides is not possible to be mitigated.

Sheena WATT: Helpful to know. Thank you. I want to go now to section 5.2.3, where you said there is clear evidence of excessive loss of quails' preferred habitat. Would increasing the available habitat of quails not increase their numbers to a sustainable level?

Liz WALKER: I think the habitat questions are also better addressed by other experts, but I think what we can say is that the wounding rate of quail, using international data, is running out at 33 per cent. It is probably fairly obvious to the committee –

Sheena WATT: Which sorts of jurisdictions are hunting quail?

Liz WALKER: It is in the US. I think it is also relevant to bear in mind the size of quail, because they are fairly small little birds.

Sheena WATT: Yes. Lovely. That is the end of my time. Thank you very much.

The CHAIR: Mr Bourman.

Jeff BOURMAN: Thank you, Chair. Dr Walker, we meet again.

Liz WALKER: We meet again. Nice to see you.

Jeff BOURMAN: Last time we met was just after the release of the Comrie report and during an inquiry instigated into the RSPCA's activities, roughly around duck hunting, and my recollection was that Mr Comrie, and I am broadly saying here, said that activism and enforcement were not compatible – yet here we are again.

Liz WALKER: That is not what he said. That is not what he said.

Jeff BOURMAN: Well, then, feel free to correct me.

Liz WALKER: He actually said quite clearly that RSPCA inspectorate are expert in animal welfare and animal cruelty investigations.

Jeff BOURMAN: Yes.

Liz WALKER: He also noted, and it was recommendation 21 of that report, RSPCA have a really important role to play in advocacy and improving animal welfare in this state. He made a comment that that should be done through building relationships – not through using emotion and perhaps more activist styles but should be done through building relationships using the evidence, managing the risks. I would say that that is precisely how we have been operating since then, and it is very, very clear. This does not prevent us from putting out media releases, talking to the facts and talking publicly about what the animal welfare issues are.

Jeff BOURMAN: So building relationships: how many relationships have you built or attempted to build with hunting organisations?

Liz WALKER: Very good question. So we work with the Game Management Authority and have sat on multiple committees.

Jeff BOURMAN: They are a statutory authority, though.

Liz WALKER: That is correct.

Jeff BOURMAN: I am talking about SSAA, Field and Game or like –

Rebecca COOK: We have in the past, when they had a new CEO at Field and Game, attempted to meet with the CEO of Field and Game. However, they never responded to us.

Liz WALKER: So we are very happy –

Jeff BOURMAN: Sorry, I am on limited time, so I might just paraphrase: you reached out to them and they did not reach out back?

Liz WALKER: Yes, correct.

Jeff BOURMAN: Okay, I will take that out on notice. You say you are not animal activists, but you are always putting out – the royal you; I am not talking about you, Dr Walker – joint press releases with Animals Australia and Wildlife Victoria, who are activist organisations. Isn't that activism?

Liz WALKER: No. The reason it is not is because when you look at what we are saying and how we are saying it, it is all about us working with all stakeholders in this space, which is what we do, and using the evidence and describing the animal welfare issue very clearly in animal welfare terms. I think those joint advertisements, because we are aligned in what we want to change and why we need it to change – I think that is entirely appropriate.

Jeff BOURMAN: How about we just say that we agree to disagree on that one.

Liz WALKER: Fine.

Jeff BOURMAN: You guys were part of the wounding reduction action plan, correct? Did you sign off on it as an organisation?

Mhairi ROBERTS: So if you are asking whether or not we endorse it, RSPCA does not endorse documents like that. It would be the same with, say, development of national standards and guidelines for livestock. We will participate in the process. We will provide our views. The final document does not reflect all the feedback that we provided. Obviously, it was written with significant input from hunters. I was the only animal welfare representative on that committee, so I would say that several of my recommendations were not included in the final draft document.

Jeff BOURMAN: Fair call. You said, and I cannot remember which one, but at some point in time someone kept on using the concept of shooting things with shotguns being cruel because they were unable to – the pellet spread and things like that. That is on ducks and waterfowl. But you are okay with shooting, hunting, culling, whatever of pest animals. Are you against the shooting of pest animals with a shotgun for the same reasons?

Mhairi ROBERTS: So we think where they are going to be controlled as part of a government-supervised program, they should be controlled with the most humane method that is available. So on the PestSmart website, which is I think an Australian government initiative, there is actually a humaneness matrix on there for each pest species that you can look at, and that measures the relative humaneness of different methods. So we would refer to that to look at what is the most appropriate –

Jeff BOURMAN: Sorry to interrupt. We are running down to about 1 minute 20. So if native waterfowl hunting gets banned and it goes to shooting under a permit, you will be okay with people using a shotgun then?

Mhairi ROBERTS: So again that would need to be looked at in terms of developing the most humane method available.

Jeff BOURMAN: Well, you cannot use a rifle; it is quite dangerous.

Mhairi ROBERTS: It is not something that is within our remit. I think that is a question for the government in terms of what they would determine to be acceptable methods for control under an authority to control wildlife permits. I know that the primary purpose of that is to first look at non-lethal methods to address that as opposed to using lethal control, which we would support.

Jeff BOURMAN: I am completely at a loss to figure out what a non-lethal control for ducks would be under a permit.

Mhairi ROBERTS: Scaring away could be an option.

Jeff BOURMAN: It does not work. I can tell you it does not work.

Mhairi ROBERTS: I am just saying these are the list of things that we would need to be gone through before a permit would be granted.

Liz WALKER: And can I also just say that in terms of controlling of overabundant species in the context that you are talking about, one of the key things we would also say is that that control method must be humane, and in this context we would expect that there are some competency requirements for people undertaking that.

Jeff BOURMAN: As there is now. So basically my understanding of it is as long as people do not enjoy it, you are okay with it. That is it. And that is my time.

The CHAIR: Thank you, Mr Bourman. Two things I would not mind following up if you can. One, you have given us the Kantar research; there is research referred to in section 6.1 on Victorians' attitudes towards locations and the season. Is it possible to provide that to the committee? Second, you mentioned in the last answer some feedback that was not incorporated into the wounding action plan. Are you able to provide that to the committee as well?

Liz WALKER: Yes.

The CHAIR: Are there any other items that members of the committee wish to request follow-up on?

Melina BATH: They have footnoted the ones that I referenced out of *Out for a Duck*. So they have footnoted those; they are available.

The CHAIR: You are okay with that?

Jeff BOURMAN: Is that the one that started 'Once upon a time'?

Melina BATH: Correct. That was the atrocious one.

The CHAIR: Ms Copsey?

Katherine COPSEY: One follow-up question, if I may.

The CHAIR: Yes.

Katherine COPSEY: I just wanted quickly to touch on lead shot if there is time. I just wanted to understand the RSPCA's view around lead shot in farmland or grassland and if there is a position on whether it is appropriate to continue using lead shot at all in Victoria, particularly with welfare concerns in mind.

Mhairi ROBERTS: Yes. So I think that is the key thing – that we know that lead can leach into the environment and it has an impact on a range of species. Also if, say, quail was not retrieved, there is potential there that there would be more direct lead ingestion by other animals, so we would definitely agree that we do not think lead shot should be used, because it can have quite a significant animal welfare impact as it leaches into the environment over time.

Rebecca COOK: And just to add to that, in the Kantar data you will see that the majority of Victorians are also concerned about the impact of lead on the environment.

The CHAIR: Mrs McArthur, you just wanted a quick word?

Bev McARTHUR: Yes. I have got a follow-up question.

The CHAIR: Very quickly.

Bev McARTHUR: Yes. Section 5.2 that you refer to, 'Stubble quail abundance in decline', can you maybe take this on notice: there seems to be a throwaway comment that no-one fact-checked. You make two statements here that:

... there is evidence to strongly suggest the population is in decline ...

when GMA's 2022 abundance estimates show increases in the population. You also state that quail hunting should be banned due to additional pressures from hunting during the breeding season, when all established science states that Victorian stubble quail breed in spring and early summer, not in autumn and winter when hunting occurs. So what information can you supply to the committee to verify these claims you have made?

Mhairi ROBERTS: We can take that on notice, and we will provide a response in writing.

Liz WALKER: And it still does not change the wounding issue associated with shooting these animals.

The CHAIR: All right. Our time is up. I want to thank you all for coming and presenting today. We appreciate you taking the time to join us and for being so forthright with us, as we were with you, in the conduct of the hearings.

You will receive a copy of the transcript of today's proceedings for review. It will probably take about a week, and then we will publish it on the website. We are going to break until 11:30.

Witnesses withdrew.