



*“Whilst the right to engage in peaceful protest should be protected and respected, that right should not extend to curtailing the legal activities of others in the exercise of self-righteous intolerance”*

# SUBMISSION

Inquiry into the Impact of Animal Rights Activism on  
Victorian Agriculture





## **Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture Submission from the Australian Deer Association Inc.**

### **Introduction**

The Australian Deer Association (ADA) is a national, membership based organisation which represents the interests of recreational deer hunters and which advocates for the sound and effective management of wild deer in the Australian environment, and for access to public land for hunting.

The ADA welcomes the opportunity to make a submission to this important inquiry. We have become increasingly concerned over the past decade or more at the activism of the animal rights movement and the impact which that potentially has on all interactions between humans and animals.

As Victorian society has become more urbanised, its population has become more detached from the realities of once widely practiced activities such hunting and animal husbandry.

Less than 10% of Victorians now live in rural areas or small towns<sup>1</sup>, down from more than 30% in the 1920's and from around 20% in the 1960's<sup>2</sup>

### **Recreational Game Hunting**

Recreational Game Hunting is an important social, economic and cultural pursuit in Victoria.

The history of public land game hunting in Victoria goes back a century.

Today there are more than 51,000 licenced game hunters in Victoria<sup>3</sup> (deer, duck and quail) and recreational hunting contributes more than \$430 million annually to the Victorian economy<sup>4</sup>.

Recreational deer hunters harvest in excess of 100,000 wild deer annually<sup>5</sup>, predominately on public land.

<sup>1</sup> < <https://blog.id.com.au/2014/population/demographic-trends/how-urbanised-is-australias-population/>>

<sup>2</sup> Hugo, G – Changing Patterns of Population Distribution in Australia. Joint Special Issue, Journal of Population Research and NZ Population Review, September 2002. <

<https://www.accc.gov.au/system/files/Fn%20118%20-%20Hugo%2C%20Changing%20patterns%20of%20population%20and%20distribution.pdf>>

<sup>3</sup> < [https://www.gma.vic.gov.au/\\_\\_data/assets/pdf\\_file/0018/443214/Game-Licence-Statistics-Summary-Report-2017-18.pdf](https://www.gma.vic.gov.au/__data/assets/pdf_file/0018/443214/Game-Licence-Statistics-Summary-Report-2017-18.pdf)>

<sup>4</sup> < [http://agriculture.vic.gov.au/\\_\\_data/assets/pdf\\_file/0005/263714/Estimating-economic-impact-of-hunting-in-Victoria.pdf](http://agriculture.vic.gov.au/__data/assets/pdf_file/0005/263714/Estimating-economic-impact-of-hunting-in-Victoria.pdf)>

<sup>5</sup> < [https://www.gma.vic.gov.au/\\_\\_data/assets/pdf\\_file/0008/426149/Deer-Harvest-Report-2017-Final-web\\_v2.pdf](https://www.gma.vic.gov.au/__data/assets/pdf_file/0008/426149/Deer-Harvest-Report-2017-Final-web_v2.pdf)>





### **Animal welfare vs Animal rights**

There are over 200 Animal Protection Organisations (APO's) operating in Australia<sup>6</sup>, ranging from large organisations such as the RSPCA to small groups comprising of a handful of participants.

Amongst this broad cohort of APO's there is an inherent tension and blurring of the lines between animal welfare and animal rights.

The ADA and hunters more generally are interested and engaged with animal welfare as a primary consideration when taking a shot on an animal. The intent is always to ensure a swift and humane death. Hunters routinely engage in marksmanship practice and formal and informal education, to ensure that their skills and knowledge are adequate.

Animal rights group, People for the Ethical Treatment of Animals (PETA) details the delineation between animal rights and animal welfare as:

*“Animal welfare theories accept that animals have interests but allow these interests to be traded away as long as there are some human benefits that are thought to justify that sacrifice.*

*Animal rights means that animals, like humans, have interests that cannot be sacrificed or traded away just because it might benefit others. However, the rights position does not hold that rights are absolute; an animal's rights, just like those of humans, must be limited, and rights can certainly conflict. Animal rights means that animals are not ours to use for food, clothing, entertainment, or experimentation. Animal welfare allows these uses as long as “humane” guidelines are followed.”<sup>7</sup>*

This definition misses the mark in that it substantially downplays the commitment of users of animals such as hunters and agriculturalists to ensuring a death which is as swift and humane as it possibly can be.

### **The civil or criminal liability of individuals and organisations who promote or organise participation in unauthorised animal activism activities**

Whilst recent media and political attention has, quite understandably, been focused on the impact of animal activists on agricultural businesses; their impact on recreational hunters is longstanding, extremely disruptive and profound. Duck hunting has been at the forefront of that impact.

Recreational duck hunters have had their legal activities actively disrupted with little recourse or active intervention by government to protect their interests for at least the past thirty-six years<sup>8</sup>.

Public opinion on duck hunting is polarised. That does not mean that its participants; all of whom are tested and licenced; should have their legal activities actively and deliberately disrupted with little to no prospect of the perpetrators either being curtailed or adequately sanctioned for their actions.

<sup>6</sup> Chen, P – Animal Welfare in Australia – Politics and Policy. Page 153

<sup>7</sup> < <https://www.peta.org/about-peta/faq/what-is-the-difference-between-animal-rights-and-animal-welfare/>>

<sup>8</sup> < <https://www.theage.com.au/national/victoria/banned-for-the-first-time-in-30-years-waterbirds-hero-is-silenced-20151216-glow0b.html>>





### Case Study – The Coalition Against Duck Shooting

The Coalition Against Duck Shooting (CADS) requires its volunteers to register on a website<sup>9</sup> and agree to an indemnity statement which acknowledges reading of an information pack. The information pack explicitly outlines the offences that activists are encouraged, if not expected to commit<sup>10</sup>:

*“It is an offence to enter a State Game Reserve shooting wetland before 10am and after two hours prior to sunset during the whole shooting season. It is also an offence to be within 25 metres of the shoreline of a shooting wetland prior to 10am.*

*Because most birds are killed or wounded prior to 10am, we have to enter the water before then to be able to help them.*

*If you decide to take this option, move quickly to avoid authorities but if you do get booked and ordered to leave the wetlands – do as you are asked. (Some rescuers find it difficult to hear when ordered to stop.) Never be disrespectful, abusive or swear at police officers. Ask for proper identification because sometimes shooters pose as Game Management Authority officers.*

*If you are booked, our legal advisors strongly suggest you provide your name and address only and give a ‘no comment’ response to all other questions. Do not give false information as this can lead to serious criminal charges*

*Take video footage if you see officers booking a rescuer. We need to know the officer’s name, ID number, position and department, and what is said to the rescuer. If booking officers are intimidating and bullying, we will name and shame them on Facebook and Twitter.*

*This year the fine for being in the water or within 25 metres of the shoreline of a shooting wetland before 10am will be around \$1,000. It is important that you inform us immediately if you receive a fine/infringement notice, so we can help you decide your best option – to either pay the fine and perhaps recover the cost from crowd funding or take the matter to court, plead guilty, but explain why you were obliged to break the law. This has resulted in lower fines in*

*the past. In 2017 CADS paid all fines after raising the money from Facebook. If necessary, we hope to be able to do the same this year.*

*If you prefer not to risk a fine you can help on shore and then search for dead and wounded birds after 10am when it is legal to enter the water. But to ensure you are not fined you must remember to stay 25 metres from shore before 10am.”*

<sup>9</sup><<https://talkbox.impactapp.com.au/contacts/form?foid=XZUKGEt2A9kpldsWjyuLxQ==&fbclid=IwAR0inacbjkdOPpwX0sjK09suPP8tYGYiUbhRq7nwamMMngJ3S9O63EQb5ko>>

<sup>10</sup> <[https://s3.amazonaws.com/assets.impactapp.com.au/uploads/file/34047c4c-e141-4266-8569-90bc0225ab4e/2019\\_VICTORIAN\\_DUCK\\_RESCUE.pdf](https://s3.amazonaws.com/assets.impactapp.com.au/uploads/file/34047c4c-e141-4266-8569-90bc0225ab4e/2019_VICTORIAN_DUCK_RESCUE.pdf)>





Recreational hunters have identified activists who have received media attention for recent farm invasions and disruptive public protests as the same activists who routinely disrupt duck hunting<sup>11</sup> on our State Game Reserves.

We argue that Victoria's State Game Reserves act as a 'boot camp' for activists who go on to disrupt the interests of primary producers and city commuters. Close to four decades of successive governments failing to effectively curtail a movement which sets out to deliberately break the law and impinge on the lawful activities of private citizens has both emboldened these activists and hardened their tactics.

### **Analyse the incidences and responses of other jurisdictions in Australia and internationally**

Animal activists disrupting hunters is a known issue internationally.

Between 1982 and 1995 laws prohibiting the harassment of hunters were passed, separately, in all 50 states of the USA. In 1994 a similar offence was added to the USA federal criminal code<sup>12</sup>.

### **Provide recommendations on how the Victorian Government and industry could improve protections for farmers' privacy, businesses, and the integrity of our biosecurity system and animal welfare outcomes, whether through law reform or other measures**

In 2012 the Victorian Government introduced new regulations aimed at ensuring that hunters and protestors could operate safely and legally, including making it an offence for anyone to "interfere with, harass, hinder or obstruct a person engaged in hunting at any location and time"<sup>13</sup>. Activists work around the regulations by obtaining game and firearms licences or they simply ignore them safe in the knowledge that they are unlikely to ever face serious sanction for their actions.

It would be useful if the committee made recommendations to actively curtail hunter harassment by animal rights activists.

Whilst the right to engage in peaceful protest should be protected and respected, that right should not extend to curtailing the legal activities of others in the exercise of one's own self-righteous intolerance.

We thank the committee in advance for your consideration of this submission.

Yours Sincerely

  
Barry Howlett  
Executive Officer

<sup>11</sup> < <https://www.weeklytimesnow.com.au/news/victoria/animal-activist-cara-garrett-accused-of-threatening-duck-shooter/news-story/3d1111fd4ad0b75e1c9f24eabab85d15>>

<sup>12</sup> < <http://content.time.com/time/nation/article/0,8599,1978911,00.html>>

<sup>13</sup> < <https://www.echoeducation.com.au/echotrial/doca2013/2013ducks/2013ducks.php>>

