



Inquiry into Victoria's Recreational Native Bird Hunting Arrangements

Submission

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Introduction to GABA

Gariwerd Animal Biodiversity Alliance (GABA) Inc. was formed by a group of residents who live in the Gariwerd (Grampians) region on Djabwurrung, Jardwadjali and Gunditjmara Countries. Our areas are covered by Gunditjmirring, Eastern Marr and Wotjabuluk Traditional Owners and we recognise their continuing unceded sovereignty and connection to Country. The GABA committee has expertise and experience in animal advocacy, anthropology, arts, environment, forests, health, horticulture, law, non-human animal behaviour and politics. Established in March 2021, the purposes of GABA are to:

- ensure wildlife and their habitats are protected for forthcoming generations
- inform people about the importance of native wildlife to local ecology and biodiversity
- educate people about all species of non-human animals, including their needs, interests, rights, and relationships to land, sky, waters, and other species
- advocate for all animals and for biodiversity.

Submission

IMPACT OF SHOOTING ON BIRDS

Non-human animals are living, thinking, feeling individuals who experience the world around them and within them. They are subjects, not objects.¹ Birds have their own lives, their own wishes and intentions, their own moral code, sense of play, intelligence and will and wish to live. The more we learn about non-human animals of all species, the more we discover ways that they are like us, not different to us.

Every year, native birds suffer and die during the shooting season. The wounding rate is such a problem that the Game Management Authority's has established the [Waterfowl Wounding Monitoring Program](#), affirming that wounding, hurting and suffering, is an inherent part of recreational duck shooting. [Many birds suffer](#) broken wings and legs as well as injuries to eyes, beaks, and major organs. The indiscriminate and 'scattergun' trajectory of shotgun pellets ensure that endangered species are wounded and killed every year.

Injured birds who have not been retrieved by shooters, can succumb to infection, predation, starvation, or drowning. As a social species, the suffering is further compounded by birds being separated from their families and dying alone in what should be a haven for them – a wetland.

ENVIRONMENTAL IMPACT

The Government's [State of Environment Report \(Victoria\) report](#) has determined that Victoria has the highest number of threatened species by subregion in Australia, with over 700 fauna and flora species and ecological communities threatened. Between one quarter and one third of all terrestrial plants, birds, reptiles, amphibians and mammals, and complex ecological communities, are at risk of extinction. The Government's recreational duck shooting program is condemning the very ones who need our protection.

All wetlands in the state of Victoria are important. Yet some of Victoria's wetlands where duck shooting takes places, are rare and unique, of [international importance](#), and crucial for conserving biological biodiversity. [Australia's 65 Ramsar sites](#) form a unique estate of diverse wetland types.

¹ Johnson, L. Syd M., Andrew Fenton, and Adam Shriver, eds. *Neuroethics and nonhuman animals*. No. 180305. Berlin/Heidelberg, Germany (Springer, 2020).

Many of Victoria's Ramsar wetlands such as Lake Murdeduke and Lake Colongulac (part of Western District Lakes), Kerang, Lake Connewarre and Albacutya are [refuges for waterbirds](#), and also places where recreational duck shooting is permitted.

In 2016 the Auditor General of the Victorian Parliament conducted a review on how well Victoria is meeting its obligations to protect Ramsar wetlands. The report determined that not enough is being done and that [recreational duck shooting is a threat to Ramsar wetlands](#). Further, that the impacts of duck shooting, including the shooting of protected species and disturbances to other lives and their habitats have not been assessed.

This presents a thorny problem for the Government and poses an inescapable threat to wetlands and those who take refuge there.

FIRST NATIONS

First Nations law is a complex and multi-layered concept of reciprocity that governs self, relationship to others and Country² and "continues to run across Aboriginal lands (and) remains the invisible mainstream law".³ Unlike contemporary laws, First Nations Laws are consistent; they are holistic, interdependent, and inter-relational.

Throughout the Australian continent, First Nations law regulates human behaviour. Contravention of Law comes with penalties and mandates sanctions for misdeeds. No-one is excluded. By contrast, our contemporary laws seem flimsy. An [independent report](#) commissioned by the Game Management Authority determined that [non-compliance](#) with current laws and regulations is widespread. Despite the GMA's attention to implementing change, the [problems persist](#).

Contrast this with the Government's [Traditional Owner Game Management Strategy](#), published on the GMA website acknowledging that "[A]borigines exercise a wise economy in killing animals. It is considered illegal and a waste of food to take the life of any edible creature for pleasure alone".⁴ Recreational duck shooting infringes Law and belies the GMA's celebration of First Nations Law and Lore.

² Australian Law Reform Commission, *Recognition of Aboriginal Customary Laws* (ALRC Report 31) (Report, Australian Government, 11 June 1986).

³ Irene Watson, 'What Is the Mainstream? The Laws of First Nations Peoples' in Ron Levy et al (eds), *New Directions for Law in Australia: Essays in Contemporary Law Reform* (ANU Press, 2017) 217.

⁴ Dawson, James. *The Languages and Customs of Several Tribes of Aborigines in the Western District of Victoria, Australia* (Melbourne, G. Robertson 1881).

Victorian wetlands are important ceremonial and initiation sites for Indigenous People. The GMA's [recreational shooting strategy](#) states that "... hunting, driving and camping activity has the potential to interfere with, or even destroy, Aboriginal places and objects", acknowledging the harms that recreational duck shooting can visit upon indigenous landscapes. [Damage and desecration of Country](#) by shooters is well documented by rescuers. Scar trees have been cut down and dismembered for firewood, cooking mounds have been destroyed, plastic bags, bullet casings, dead and dying birds, alcohol containers and human excrement are regularly found by duck rescuers who clean up once the shooters have gone.

ECONOMICS

[Anecdotal evidence](#) by regional tourism businesses report that visitor numbers drop during duck shooting season. Shooters may stay and shop locally, but the overall economic effect of duck shooting season is one of loss to regional businesses. The only independent review into duck shooting and the economic effect of banning it is the Australia Institute's [2012 Out for a Duck report](#). The report found no detrimental economic impact to stopping recreational duck shooting. Rather, the expenditure would likely shift to eco-tourism, and other non-lethal forms of outdoor recreation.

HUMAN HEALTH

Ducks are the first victims, but humans are also at risk. A [recent botulism outbreak](#) claimed the lives of over 700 ducks at Bells Swamp and surrounding wetlands. Consuming meat from infected ducks cause significant risks to human health.

Lead shot was used in duck shooting until 2002 and is still used to shoot quails. [Toxic levels of lead](#) have still been found present in ducks in recent years, presenting a health and safety risk to the birds, as well as humans and prey animals who consume these birds.

Wetlands where duck shooting take place are increasingly impacted by the presence of chemicals such as PFAS and contaminants such as blue-green algae making them unsafe to enter. The [Wildlife \(Game\) Regulations 2012](#) require shooters to immediately retrieve shot birds, harvesting at least the flesh from their breast. It is therefore not possible to abide by the Wildlife (Game) Regulations whilst also following the EPA health warnings.

The effect of legislated and celebrated forms of animal cruelty, such as duck shooting, also have myriad consequences on the mental, emotional, psychological, and social wellness of people – including children.⁵

HUMAN SAFETY

Regional Victorians often live rurally because of their love for nature and animals. Such Victorians are deeply impacted by the sound of gunfire as well as finding the unretrieved bodies of dead and dying ducks. This is an unnecessary tragedy being visited upon regional families including children.

Locals tend to stay away from wetlands during duck shooting season. However, tourists may visit regional wetlands for passive recreation. The problem is that many game reserves are not well signposted meaning that visitors may not be prepared for firearms, shooting and birds falling out of the sky. Some game reserves also allow shooting close to urban areas which is a genuine concern to the safety – and sense of safety – of residents. As the regions grow and develop, shooting near residential areas and places of human activity is a grave concern.

Locals who live near wetlands complain of lost sleep, inability to work from home, lost tourism, distressed children, and terrified animals. Yet to date there is no economic study to determine the impact of duck shooting on regional communities. Rather than the expenditure of a cost-benefit analysis, it would perhaps be prudent to simply stop recreational duck shooting.

Recommendations

1. Stop recreational duck shooting immediately.
2. Restore wetlands as places of safety for all.
3. Fulfil our responsibilities to the Ramsar International Convention on Wetlands.
4. Collaborate with First Nations people to facilitate eco-tourism opportunities.
5. Guard against anthropocentrism in crafting future legislation affecting non-human animals and the environment.
6. Ensure that future legislation passed by the Victorian Government regarding non-human animals and the environment does not contravene First Nations Law and Lore.

⁵ Gullone, Eleonora. *Animal cruelty, antisocial behaviour, and aggression: More than a link* (Palgrave Macmillan, 2012).