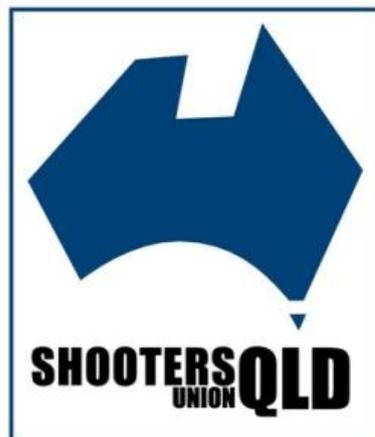


# SUBMISSION

## Review of the Animal Care and Protection Act 2001



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## 1. General Comment

We note the main thrust of the review of the *Animal Care and Protection Act 2001* is to improve the welfare of animals in Queensland. Whilst we support this aim, we are concerned that there is no protection either within the existing Act or in the Discussion Paper to ensure that ethical recreational hunting is recognised as a legitimate, legal animal welfare occupation.

Shooters Union Qld Pty Ltd is an Approved Hunting Club under the New South Wales Department of Primary Industries and provides courses for our members to hunt on crown land in NSW. Unfortunately, the same is not available in Queensland. We therefore quote the following from the NSW DPI Hunting Website:<sup>1</sup>

*“The NSW DPI Game Licensing Unit regulates **hunting** in NSW in conjunction with NSW Police.*

- Regulated hunting activities generate a range of social and economic benefits for NSW. In 2019–20, hunters spent an estimated \$1,406 million on hunting related activities and products.*
- The combination of drought and NSW bushfires saw an increase of pest animals on properties within NSW in 2019-20 including rabbits, foxes, pigs, goats, deer, hares, feral cats and wild dogs (excluding dingoes). The drought also saw large populations of kangaroos moving to farming land and rural community areas.*



- These pest animals can cause damage to properties, compete with livestock for water and feed and decimate crops which can have a serious impact on NSW primary producers. They can also have devastating effects on native animals and ecosystems.*

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<sup>1</sup> <https://www.dpi.nsw.gov.au/about-us/publications/pdi/2020/hunting>

- *Hunting is recognised as an important tool in the management of game and feral animals and as a legitimate recreational pursuit.*
- *Hunters also play an important role on the front line of biosecurity to detect and prevent the spread of animal disease such as looking for signs of African Swine Fever (no occurrences as yet in Australia) and identifying serious non-native invasive pests and weeds such as parthenium in NSW.*
- *Hunting can also provide extensive social benefits to participants who engage in active outdoor recreation with family and friends, harvest clean organic meat and reconnect with the land and the natural world.”*

## **2. Authors**

Jan Linsley on behalf of Shooters Union Queensland Pty Ltd Executive Committee.

## **3. Intended Audience**

- Department of Agriculture and Fisheries
- The Hon Mark Furner, Minister for Agricultural Industry Development and
- and Minister for Rural Communities;
- Executive members Shooters Union Qld Pty Ltd

## **4. Background and authority to comment**

- 4.1 Shooters Union of Qld Inc was formed in 2005, obtaining Weapons Licensing club approval in that year. In 2018, the organisation was restructured to become a proprietary limited liability company because of rapidly increasing membership numbers. Shooters Union Queensland Pty Ltd is the second largest shooting organisation in Queensland.
- 4.2 Shooters Union Australia Inc was formed in 2013 in answer to requests by members in other states. The organisation was changed to a company limited by guarantee in 2018, again because of rapidly increasing membership Australia-wide.
- 4.3 Shooters Union has been represented at all Ministerial Advisory groups since formation, both in Queensland and in other states. Shooters Union Australia Ltd is represented on the Commonwealth Firearms Advisory Council.

## **5. Shooters Union Code of Ethical Hunting**

### **Respect for the landowner**

- I will consider myself an invited guest of the landowner, seeking his/her permission to hunt on the property, and conducting myself so I and other hunters may be welcome again in the future.
- I will obey the rules of safe firearms use and will courteously but firmly insist that others who hunt with me do the same.

### **Respect for the law**

- I will obey all hunting laws and regulations, and will insist my companions do likewise.

### **Respect for the animals**

- I will do my best to acquire the marksmanship and hunting skills which ensure clean, humane kills.

### **Respect for the environment**

- I will support conservation efforts which can assure good hunting for future generations of Australians.

### **Respect for others**

- I will pass along to younger hunters the attitudes and skills essential for a true outdoor sportsperson.
- I will be mindful of the images from a hunt I share publicly, taking care to avoid any which portray hunting in a negative or unethical light.

## **6. NSW DPI Hunters' Code of Practice**

Licensed hunters in NSW must follow a mandatory Code of Practice to ensure ethical, safe and responsible hunting takes place. The code is part of the *Game and Feral Animal Control Act 2002* and the *Game and Feral Animal Control Regulation 2012*, and is a legally binding condition of a game hunting licence in NSW. Breaches of the code result in heavy penalties.

Hunting organisations are encouraged to adopt the Code of Practice as their own. The mandatory provisions of the Code of Practice are as follows:

### **Awareness of relevant legislation**

- It is your responsibility as a licence holder to be aware of and comply with all relevant legislation relating to hunting, animal welfare and the use of firearms.

### **Safe handling of firearms**

- If you are using firearms, you must comply with the rules for safe handling, set out in the NSW Firearms Safety Awareness handbook, at all times.

### **Permission required to enter land**

- Your licence **does not** automatically authorise you to hunt on any land. You must not hunt on any land unless you hold the express authority (permission) of the landowner.

### **Target identification and safety**

- You must not fire at a game or pest animal unless it can be clearly seen and identified. The shot taken must not pose any discernible risk of injury to any person or damage to any property.

### **Obligation to avoid suffering**

- An animal being hunted must not be inflicted with unnecessary pain. To achieve a humane death, you must:
  - target the animal so that a humane kill is likely
  - shoot within the reasonably accepted killing range of the firearm, ammunition or bow
  - always use hunting equipment (firearm and ammunition, bow and arrow), that can be reasonably expected to humanely kill the animal you are targeting.

### **Lactating female with dependent young**

- If you harvest a lactating female, every reasonable effort must be made to locate and kill any dependent young.

### **Wounded animals**

- If an animal is wounded, you must take all reasonable steps to locate it so that it can be killed quickly and humanely.

### **Use of dogs**

- Dogs and other animals may be used by you while hunting, but only if:
  - their use is not in contravention to the [Prevention of Cruelty to Animals Act 1979](#)
  - their use is with the permission of the occupier of the land concerned.

## **7. Hunting with dogs**

Part 13 of Schedule 1 of the NSW *Game and Feral Animal Control Regulation 2012* sets out the general conditions that apply to any hunting of pigs using dogs on public land. These conditions are:

- dogs must only locate, bail or hold pigs - they must not be allowed to maul or kill pigs and hunters must take all necessary steps to ensure that their dogs do not inflict unnecessary pain on the pig
- a licence holder hunting alone **must not use more than three dogs** for locating, holding or bailing pigs
- a group of licence holders **must not use more than five dogs** for locating, holding or bailing pigs
- dogs must be micro chipped, wearing a collar with a metal tag or label attached which shows the name, address and telephone number of the owner of the dog, and must be wearing a radio tracking collar or be on a lead
- the licence holder using the dog must ensure it does not chase any other species of animal
- the licence holder must not leave or abandon the dog on public land.

All dogs being used to hunt must:

- wear a collar which has a metal tag or label attached with the name, address and telephone number of the owner of the dog
- be micro chipped
- not chase any other species of animal.

These requirements are in addition to the special conditions for hunting deer and other game animals using dogs.<sup>2</sup>

## 8. RSPCA Involvement

We strenuously oppose the inclusion of the RSPCA in any official capacity in the legislation, based on the following facts:

- The RSPCA is vocally anti-hunting and continues to publicly advocate for the ban of all forms of hunting in Australia. The RSPCA's Chief Inspector Daniel Young openly admits their organisation has no hunting expertise whatsoever, and instead relies entirely on internet-based searches (such as *YouTube* and *Facebook*) to gather information.<sup>3</sup>

The RSPCA has financial and/or strategic operational links to radical "animal rights" activist groups such as *Voiceless*, *Animals Australia* and *GetUp*, which also share the same anti-hunting views. The RSPCA is a national organisation with state divisions, which have been investigated and convicted

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<sup>2</sup> <https://www.dpi.nsw.gov.au/about-us/publications/pdi/2020/hunting>

<sup>3</sup> <https://kb.rspca.org.au/wp-content/uploads/2018/11/Recreational-hunting-RSPCA-Information-Paper-Dec-2017.pdf>

by State Governments in Western Australia (WA), Victoria and Tasmania for abuse of power and misuse of public money on multiple occasions.<sup>4</sup>

- In 2015, RSPCA WA used public donations to pay for a full-page advertisement in the newspaper depicting a hare that had been deceitfully altered to add blood to the mouth and hind quarters of the animal, to discourage support for hunting on public lands.<sup>5</sup>
- The RSPCA continually uses donations for advertisements to falsely label volunteer recreational hunting as animal cruelty and deliberately mislead the public. These advertisements push an anti-hunting narrative on the public which vilifies law abiding hunters performing a legal past time. By appealing to the emotions of an ill-informed public, the RSPCA encourages people to call for hunting to be banned, despite not knowing all the facts.
- In 2014, RSPCA QLD's previous CEO Mark Townend (now an RSPCA adviser) attacked law abiding recreational hunters who were participating in a charity event to raise money for families of veteran soldiers by using his platform at the RSPCA to misleadingly tell the public (via the media):

***"We just don't support that animals should be used in a sport situation, as much as they will tell you they were killed in a humane way – they're not – I've definitely seen video evidence of it, and you'll see more, a bit more profile from the RSPCA in some of the feral pig hunting soon."*** and;

***"I'd like to see feral pig shooting by amateur sportsman banned, that's for sure."***<sup>6</sup>

- In an article published by the ABC on 06/05/21, the RSPCA has continued to appeal to the public's emotions and mislead them on the facts surrounding

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<sup>4</sup> <https://voiceless.org.au/grants-and-prizes/grants-program/grants-program-search/page/2/>  
<https://voiceless.org.au/animal-law/lecture-series/2016-voiceless-animal-law-lecture-series/speakers/dr-bidda-jones/>  
<https://rspca.org.au/media-centre/news/2011/rspca-animals-australia-getup-websites-crash-under-huge-demand-live-export>  
[https://www.parliament.wa.gov.au/Parliament/commit.nsf/\(Report+Lookup+by+Com+ID\)/86FCFAE46BAA08E148257FB8000D7205/\\$file/ra.rpa.160519.rpf.001.committee+report.pdf](https://www.parliament.wa.gov.au/Parliament/commit.nsf/(Report+Lookup+by+Com+ID)/86FCFAE46BAA08E148257FB8000D7205/$file/ra.rpa.160519.rpf.001.committee+report.pdf)  
<https://www.perthnow.com.au/features/former-boss-attacks-lost-rspca-ng-981ed42960cb9277a87648f6bf279a93>  
[https://www.parliament.vic.gov.au/file\\_uploads/EIC\\_Inquiry\\_into\\_the\\_RSPCA\\_jk5k41vH.PDF](https://www.parliament.vic.gov.au/file_uploads/EIC_Inquiry_into_the_RSPCA_jk5k41vH.PDF)  
<https://www.themercury.com.au/news/tasmania/rspcas-woes-laid-bare-as-tasmanian-inquiry-recommends-restructure-and-further-investigation/news-story/d4ebcac9873ff9bd6fd56919a6ed0c5e>

<sup>5</sup> <https://www.watoday.com.au/national/western-australia/rspca-bloodied-rabbit-photo-disgraceful-wa-shooters-association-20150506-ggvn7j.html>

<sup>6</sup> <https://www.abc.net.au/news/rural/2014-10-29/pig-hunting-championships/5850862>  
[https://www.abc.net.au/news/rural/2014-10-29/queensland-pig-hunting-championships/5850826?&section=sport&date=\(none\)](https://www.abc.net.au/news/rural/2014-10-29/queensland-pig-hunting-championships/5850826?&section=sport&date=(none))

electric dog collars, while advocating for them to be banned. These are an important training tool for domestic and hunting dogs and are used responsibly by people every day. Michael Beaty (RSPCA QLD) states:

*“We'd obviously like to see shock collars abolished in Queensland — no doubt about that.”<sup>7</sup>*

- The RSPCA is a multimillion dollar charity which operates akin to a business, but pays no tax. According to the Australian Charities and Not-for-Profits Commission (ACNC), in 2019/2020 financial year the charity had a combined gross income of over \$243 million. RSPCA QLD was the second highest earner with a gross income of over \$58 million and a net profit of \$8.7 million.<sup>8</sup>
- In 2019/ 2020 financial year RSPCA QLD's six (6) Key Management Personnel received a total over \$1 million in payments, while its Directors also disclosed \$153,623 in payments from the RSPCA to businesses they had a financial interest in. RSPCA QLD also paid an additional \$475,322 to *Shelter Management PTY LTD* and loaned them a further \$347,918 on top of the \$1.8 million previously loaned, all unsecured and interest free.

It is, therefore, in our opinion, not appropriate for the Queensland Government to authorise the RSPCA or organisations like it, to undertake investigations and conduct prosecutions under the ACPA.

## 9. Recommendations

- That a unit similar to the NSW Game Council be established in Queensland to facilitate access to crown land for pest control and animal welfare by approved hunting organisations.
- That the proposed review of the Animal Control & Protection Act be amended to include legislation similar to that of the NSW *Game and Feral Animal Control Act 2002*
- That ACPA Inspectors be either an appropriately trained public service officer or employee (eg an employee of Biosecurity Queensland) or an Officer of the Queensland Police Service.

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<sup>7</sup> <https://www.abc.net.au/news/2021-05-05/push-to-ban-electric-shock-dog-collars-in-queensland/100115476>

<sup>8</sup> <https://www.acnc.gov.au/charity>

<https://www.acnc.gov.au/charity/ais/c25a66d805e0580ce42635000eefcfec>