

CHAPTER 4

HISTORY OF KANGAROO KILLING AND THE ESTABLISHMENT OF KANGAROO MANAGEMENT PROGRAMMES

Introduction

4.1 In this chapter, the Committee recounts the history of kangaroo killing and the establishment of management programmes to conserve the kangaroo.

4.2 Under the Constitution of the Commonwealth, the management of wildlife is a responsibility of the States, except in the Territories which are under the control of the Federal Government. The export and import of wildlife and wildlife products are, however, administered by the Federal Government under its constitutional power over overseas trade and commerce.

History of Kangaroo Killing

4.3 During the early colonial period, kangaroos were killed primarily as a source of meat and hides. With the spread of the pastoral industries into the hinterland, landholder tolerance of kangaroos waned as they caused damage to fences and competed with livestock for pasture and water. They became regarded as pests and various measures, including the use of the battue, were taken by landholders to rid themselves of this nuisance. Little or no concern was shown for the cruelty perpetrated against kangaroos in attempts to reduce their numbers or to exterminate them.

4.4 Landholders were also indiscriminate in killing the various species of kangaroo. For some species, the killing and loss of habitat from the clearing of land for agriculture

resulted in either extinction or depletion of numbers to the point that only a few pockets now survive.

4.5 The general perception of kangaroos as pests was reflected in legislation enacted in some States proscribing kangaroos as vermin and placing bounties on their scalps.

In Queensland alone, over a period of 40 years prior to 1917 some 2 million dollars were paid in bounties and government subsidies for 26 million scalps. During the subsequent 40 years a stable kangaroo harvesting industry evolved and processed 3-400 000 skins annually. During 1950-1960, 450 000 skins were harvested annually, worth at least \$300 000 per year to the shooters.¹

4.6 Until the 1950s, only the skins of kangaroos were taken by commercial shooters. When myxomatosis reduced the rabbit population, butchers and pet food processors turned to kangaroo meat. This new demand for kangaroo meat lured many people into the industry in search of quick money. The State Government responded by introducing restrictive legislation to regulate the shooting of kangaroos and this brought stability back to the industry.

4.7 By 1970 there was enough public pressure against the commercial killing of kangaroos for the appointment of the House of Representatives Select Committee on Wildlife Conservation. The Committee's terms of reference were wider than kangaroos but, because of the interest in kangaroos, the Committee presented an interim report entitled 'Conservation and Exploitation of Kangaroos' to the House of Representatives in November 1971. The Committee concluded that kangaroos were not in danger of extinction and it did not recommend a total ban on killing kangaroos.

4.8 Despite the report of the Select Committee, public criticism of kangaroo killing continued. In January 1973, the

Minister for Customs and Excise announced that he would not consent to the export of kangaroo products as from 1 April 1973 until he was assured by the Minister for Environment and Conservation that kangaroo killing would not endanger the species. The export of kangaroo products was prohibited under item 1 and item 8 of the Second Schedule of the Customs (Prohibited Exports) Regulation without the prior consent of the Minister for Customs and Excise.

4.9 On 9 March 1973, at a meeting of Federal and State Ministers responsible for nature conservation, it was decided to set up a working party. The report of that working party was considered by the Minister for Environment and Conservation who indicated that he would advise the Minister for Customs and Excise to allow the export of kangaroo products when he had:

- i) received from each State wishing to export kangaroo products, an adequate program for the management of the kangaroo species involved,
- ii) become satisfied that the program was being effectively implemented, and had
- iii) agreement from each State that an upper limit to harvesting would be fixed annually following consultation between relevant State and Commonwealth authorities and recommended to the Minister for Customs and Excise by the Minister for Environment and Conservation.²

4.10 Kangaroo management programmes for five States were approved and exports permitted progressively between February 1975 and June 1976. Quotas which set upper limits on the numbers of each species killed under the programmes were introduced and reviewed annually.

Export of Kangaroo Products to the USA

4.11 Since the early 1970s, the killing of kangaroos as an issue of public concern has not been confined to Australia. In the last few years, the international debate has centred on the European Parliament. Animal welfare organisations have focussed their attention on the Environment Committee of the European Parliament in an effort to have that Committee recommend a ban on the importation of kangaroo products into Europe. This would stultify trade in kangaroo skins as Europe is the major market for kangaroo skins. The high tensile strength of the kangaroo skin makes it desirable for use in the manufacture of high quality leather footwear and accessories.

4.12 Until a few years ago, the main overseas market for kangaroo skins was the United States of America. It was there that animal welfare organisations, both American and Australian, sought to stop the trade.

4.13 A ban on the commercial importation of products derived from red, eastern grey and western grey kangaroos was imposed by the Fish and Wildlife Service of the United States Department of the Interior from 30 December 1974, because the Service believed that continued killing would endanger those species. The three species were also listed as 'threatened species' under the United States Endangered Species Act 1973.

4.14 The Australian Government objected to the United States' action arguing that the three species of kangaroo were not in any danger of extinction from commercial shooting. After two officers of the United States Fish and Wildlife Service visited Australia in 1975, the United States Government agreed to lift the bans provided that the Australian Government certified that management programmes for the three species were approved and operating. After the approval of the management programmes prepared by the five States, as mentioned above, the United States lifted its

import bans on products derived from kangaroos killed in those States.

4.15 The United States Government did not, however, remove the three species from the 'threatened list' under the Endangered Species Act. A requirement of that Act was the review of the status of listed animals every five years. In March 1980, Dr Anderson, a biologist with the USFWS visited Australia to obtain information on kangaroo populations and the management programmes. Population figures were given to him by the State fauna authorities and not from the Australian National Parks and Wildlife Service. Figures supplied for New South Wales and South Australia were based on aerial surveys, but those for Queensland and Western Australia were not. The Queensland NPWS estimated a total population of 30 million for the three main species in that State. Dr Anderson arrived at an estimate of 32 650 000 including 25 million in Queensland. The USFWS endorsed Dr Anderson's figure in the Federal Register on 16 June 1980.³ On 29 April 1981 the USFWS published in the Federal Register a notice permitting the importation of kangaroo products.⁴

4.16 Between April 1981 and June 1983 various population estimates were published in Australia and in the United States of America. Some of these were based partly on the increasing number of aerial survey results which were then available. The aerial survey results were providing a better scientific basis for estimating kangaroo populations.

4.17 On 10 November 1982, the Australian Government petitioned the Director of the USFWS to permit the continued importation of kangaroo products into the United States of America. In the Government's submission, which was prepared by the ANPWS, details of kangaroo populations based on various surveys were included. The surveys showed an estimated population of 18 135 600 red and grey kangaroos for approximately 48 per cent of the continent. However, there was no warning by the ANPWS

against extrapolating on a pro rata basis to derive an estimate for the whole of Australia, which the USFWS did do in a notice published in the Federal Register of 8 April 1983. It was understandable that the USFWS should have made such an extrapolation, particularly in light of its earlier estimate of 32 million which was based on Queensland's estimate of 30 million. The ANPWS only slightly qualified the Queensland estimate in its submission of 10 November 1982.

4.18 In an Australian Information Service Fact Sheet on Commercial Harvesting of Kangaroos, published by the Australian Embassy in Washington in April 1983, the following information was given:

Aerial and other surveys by government agencies show there is a maximum of 21 million red, eastern grey and western grey kangaroos. Their numbers could be much higher. Some estimates put the population at about 60 million.⁵

4.19 The ANPWS submitted to the Committee that it was not consulted about the compilation of the Fact Sheet. The publication by a Government authority of possible population estimates of 60 million kangaroos, particularly when official estimates were available, without reference to the relevant authority, was irresponsible. As the question of kangaroo killing had been a sensitive issue for some time, more care should have been taken by the Australian Information Service to ensure that the information it provided was accurate.

4.20 The estimate of 19.1 million kangaroos for the whole of Australia was published in a press release by the University of Sydney on 12 May 1983. The ANPWS, in a further submission dated 1 June 1983 to the USFWS, used this figure as the estimated total number of red and grey kangaroos in Australia. The figure was reiterated by the Australian Government representative at the

public hearing on 6 June 1983 in the United States of America at which the status of red and grey kangaroos was reviewed. It was used by the USFWS in its publication on 1 August 1983 in the Federal Register of a rule permitting the continued importation of kangaroo products.

4.21 Animal welfare organisations have criticised Australian authorities for either publishing wrong information or allowing the United States' authorities to arrive at a wrong estimate of total population from extrapolations of estimates for those parts of Australia covered by surveys, which were provided by Australian authorities. It was not explained to American authorities that the density of kangaroos in areas not covered by the surveys was very much lower than the areas surveyed. As a result of additional information supplied by ANPWS to the Committee and incorporated in the Hansard transcript of evidence of 24 April 1985, the Committee is satisfied with the response of the ANPWS to the criticisms.

4.22 However, it is one thing to act cautiously and use only 'scientifically' derived population estimates but it is another not to sound some warning to the USFWS not to extrapolate estimates for 48 per cent of Australia to the whole of Australia, which the USFWS actually did.

4.23 Although attention has turned towards developments in Europe in the last three years, there has been a continuing campaign in the United States to reimpose the ban on products derived from red and grey kangaroos. Congressman Mrazek has proposed a Bill to ban such imports, and even though it has not progressed far, the Bill had 116 co-sponsors in September 1987.⁶ This level of support, if not enough to enact legislation to ban the importation of kangaroo products, does demonstrate more than a little concern in that country about the commercial killing of kangaroos.

Export of Kangaroo Products to Europe

4.24 During the 1980s, the emphasis in the export trade of kangaroo products transferred from the United States to Europe. With it, the focus of attention by animal welfare organisations moved to the European Parliament. Some members of the Environment Committee of the European Parliament took up an interest in the subject.

4.25 In March 1984, a member of the Environment Committee, Dr D. Eisme, visited Australia to investigate kangaroo killing at first hand. He had discussions with the Committee but, at that stage, the Committee had not yet begun its hearings and inspections.

4.26 A Delegation of the European Parliament visited Australia in November 1985 as part of the normal inter-parliamentary exchange programme between the Australian and European Parliaments. Although kangaroo killing was only one of many issues that it wished to discuss in Australia, it spent more time on that issue than any other. Some members of the Delegation visited Roma in southern Queensland to have discussions with the Queensland National Parks and Wildlife Service and to see kangaroos on properties. The Committee met with the Delegation in Canberra and joined the members of the Delegation in Roma.

4.27 Mr H. Muntingh, the Rapporteur for Kangaroos on the Environment Committee of the European Parliament, visited Australia in April 1986. Towards the end of his visit, which took in three States, he had a long session with the Committee. At that stage of the inquiry, with some major hearings still to be held, members of the Committee were only able to give individual general impressions of the complicated issues involved in this inquiry. Those impressions were subject to change by evidence taken later and by detailed discussions of the issues in private, deliberative sessions of the Committee.

4.28 Mr Muntingh made a report and sponsored a resolution which was adopted by the European Parliament. This resolution urged the Commission and the Council to ban the importation of products derived from all kangaroo species other than those of the red kangaroo, the eastern grey kangaroo and the western grey kangaroo. Under the terms of the resolution, importers of products of these last three kangaroos would also be required to obtain import permits. The effect of the resolution, if it is acted upon by the Commission and the Council, is to maintain 90 per cent of the current trade, as that is the proportion of the trade of products derived from red and grey kangaroos.

Wildlife Protection (Regulation of Exports and Imports) Act 1982

4.29 Australia is a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973) and its obligations under the Convention have been given effect in the Wildlife Protection (Regulation of Exports and Imports) Act 1982. Under the Act, native wildlife or products derived from them may only be exported with the permission of the Minister (presently the Minister for the Arts, Sport, the Environment, Tourism and Territories) provided that the animals were taken under a management programme for the protection, conservation and management of those species of animals, which has been approved by the Minister. This means that kangaroo skins and meat which are exported must have been obtained from kangaroos which were killed as part of an approved management programme.

4.30 Since the Act came into force in 1984, the relevant Minister has approved management programmes for Queensland, New South Wales, South Australia, Western Australia and Tasmania. However, no management programme was approved for Tasmania for 1987. There is no commercial shooting of kangaroos in Victoria.

4.31 Although not a formal part of the kangaroo management programme (KMP), but associated with it, is a quota which limits the number of each species which may be killed and processed by the commercial kangaroo industry under the programme. The limits set by the quota are not intended to be targets but the maximum safe number of kangaroos which can be killed so as not to affect the long-term viability of those species.

4.32 Constitutionally, a State Government can do what it likes in relation to kangaroos. The only sanction available to the Federal Government is the banning of exports of kangaroo products from that State.

4.33 In 1981, CONCOM endorsed the National Kangaroo Management Program which had the following objectives:

- *to maintain populations of all species of macropod over their natural range,

- *to contain their deleterious effects on pastoral and agricultural production,

- *to ensure that the best possible use is made of kangaroos taken in terms of the above.

4.34 These objectives were changed when CONCOM endorsed the National Plan of Management for Kangaroos on 30 May 1985. The new objectives, which are still current, are:

- *to maintain populations of kangaroos over their natural ranges; and

- *to contain the deleterious effects of kangaroos on other land management practices.

4.35 With the endorsement of the 1985 objectives, the earlier objective, 'to ensure that the best possible use is made of kangaroos taken in terms of the above' was deleted. Although this deletion did not change the attitude of CONCOM towards the use of

kangaroo products, it probably reflected prevailing public attitudes towards kangaroo killing.

4.36 The objectives of the 1986 KMP of Western Australia are the same as those of CONCOM. Each of the other States has a variation of the CONCOM objectives.

4.37 In the New South Wales KMP in a note under the principal aims, it is stated:

The commercial kangaroo industry thus has no prima facie right to kill kangaroos independent of the need to protect property.

4.38 The aims of kangaroo management in the 1986 Queensland KMP were:

1. To ensure the survival of populations of all harvested species over their natural ranges; (achieved through a program of controlled harvesting, land acquisition and a Rural Nature Conservation Program providing for the integration of wildlife and rural industries ...)

2. To contain the deleterious effects of kangaroos on the legitimate rural enterprises of agricultural and pastoral production (achieved through the management and control of the kangaroo industry ...)⁷

4.39 In the following paragraph, it was stated:

It is important to recognise that the kangaroo industry developed in response to the pest problem caused by these animals, and continues to fill that role. It does not, however, exist solely for this purpose. The kangaroo industry has existed in its own right for more than a century as the user of a valuable renewable resource, and thus serves not only the needs of the farmer but also its own interests. In this latter role the industry is constrained to act conservatively towards the kangaroos to

ensure its own survival, and thus to co-operate with the conservation Authority.

4.40 Mr W. E. Poole, in a paper published by ANPWS in 1984, wrote:

The commercial utilisation of kangaroos is regarded by the State authorities only as a tool for controlling numbers of kangaroos on private lands and is aimed at keeping numbers of kangaroos within limits that are tolerable to landholders.

4.41 The above passage was quoted in the Supplementary Submission dated April 1985 of the ANPWS to the Committee.⁸ It can be inferred, therefore, that the view of the ANPWS coincided with that of Mr Poole as the ANPWS did not make any comment to the contrary. That passage contradicts that which is contained in the Queensland KMP and quoted above. The Queensland Government made it quite clear that the kangaroo industry was not just a management tool to mitigate the deleterious effects of kangaroos on properties. At a time when CONCOM, which included the Queensland Minister for Tourism, National Parks, Sport and the Arts, had deleted the specific reference to the commercial use of kangaroo carcasses in the objectives of the Plan of Management, the Queensland Government had maintained its qualification of the objectives in its KMP so that they were not in keeping with the spirit of the Plan of Management. Despite the implied contrary views of ANPWS, the Queensland KMP had been approved several times by the responsible Federal Minister. The Committee noted, however, that the qualifying paragraph was not included in the 1987 Queensland KMP.

4.42 Although there are differences in State KMPs which reflect the different circumstances in each State, there is no reason for the objectives of the five KMPs to differ from that approved by CONCOM.

4.43 Kangaroo management programmes have been approved by the Federal Government since 1975. Their establishment had been made a prerequisite by the United States for the rescinding of the ban on the importation of kangaroo products which had been imposed on 30 December 1974.

4.44 When the Wildlife Protection (Regulation of Exports and Imports) Act 1982 was proclaimed in 1984, it was a requirement under section 10 that all animal products exported had to be derived from animals killed under a management programme. Consequently, new management programmes were approved by the Minister for the five States involved in the commercial killing of kangaroos.

4.45 Regulations under the Wildlife Protection (Regulation of Exports and Imports) Act 1982 stipulate that the Minister shall not approve a management programme unless he is satisfied:

that there is available to the Designated Authority (the Director of the ANPWS) sufficient information concerning the biology of each species subject to the management program, and the role of that species in the ecosystem in which it occurs, to enable the Designated Authority to evaluate a management program for that species. (Regulation 5, sub-regulation (1)(a)).

4.46 Sub-regulation (c) of regulation 5 requires that a management programme:

contains measures to ensure that the taking in the wild, under that management program, of any specimen:

(i) will not be detrimental to the survival of the species or sub-species to which that specimen belongs; and

(ii) will be carried out at minimal risk to the continuing role of that species or sub-species in the ecosystems in which it

occurs and so as to maintain the species or sub-species in a manner that is not likely to cause irreversible changes to, or long term deleterious effects on, the species, sub-species or its habitat.

4.47 Sub-regulation (d) of regulation 5 requires that the management programme:

... provides for adequate periodic monitoring and assessment of the effects of the taking of specimens under that management program on the species or sub-species to which those specimens belong, their habitat and such other species or sub-species as are specified in writing by the Designated Authority as likely to be affected by that taking.

4.48 Kangaroo management programmes are now approved annually by the Minister for Environment and the Arts and cover one calendar year.