

# Animal care and protection and traditional hunting – causing as little pain as is reasonable

This fact sheet provides an update on changes to the *Animal Care and Protection Act 2001* (the Act) and some other Queensland laws. These changes have been made to protect animals, including turtles and dugongs, from unreasonable pain and suffering when hunted and killed.

The changes to the Act intend to clarify that animal welfare obligations apply to Aboriginal and Torres Strait Islander people even when exercising traditional rights to hunt animals. They make it clear that all people in Queensland have equal animal welfare obligations.

The changes do not take away hunting rights; however they affect how hunting rights can be exercised. They ensure that animals are killed in a way that causes *as little pain as is reasonable* in the circumstances.

## Causing an animal as little pain as is reasonable

Under the Act, a person may be prosecuted for cruelty if they kill an animal in a way that is not quick and humane (meaning the animal doesn't suffer or feel pain). Hunters exercising their traditional hunting rights must use a method of killing that causes *as little pain as is reasonable* in the circumstances.

The Queensland Government wants to ensure that Aboriginal and Torres Strait Islander traditional hunters understand they can continue to exercise their traditional and customary hunting rights.

The new rules affect traditional hunters only if they fail to take steps to cause the animal as little pain as is reasonable. This means that a traditional hunter must exercise care, skill and judgement when hunting and killing an animal and use the least painful method reasonably available to them in their circumstances.

## Ways to minimise pain

An animal is less aware of pain if it is fully unconscious. That is why the most humane methods of killing an animal generally involve

making sure the animal becomes fully unconscious as quickly as possible.

A range of methods are used to quickly and humanely kill animals for food in Queensland. In abattoirs, animals are required to be stunned so they are less aware of pain while they are quickly killed. Outside abattoirs, animals can be killed quickly and humanely by using a gun to shoot it in the brain (provided the person holds a gun licence and it is safe to use the gun) but use of guns by some hunters may be illegal in some circumstances. Alternatively, animals can be killed quickly and humanely by using a captive bolt that penetrates the skull and destroys the brain.

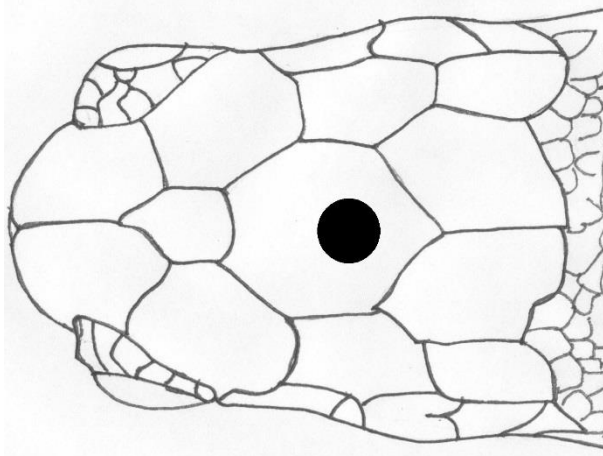
Most animals hunted under tradition or custom will become unconscious if they receive a severe blow to the head using a heavy blunt object. While the animal is unconscious and less able to feel pain, cutting the main blood vessel in its neck which causes it to bleed out quickly will normally achieve a quick death.

However, some species of animals are more difficult to kill quickly. For example, large animals, such as dugongs and turtles, are difficult to make unconscious.

Most traditional and customary hunters kill dugongs by drowning. Direct destruction of the brain would be a more humane way to kill a dugong, however, where this is not appropriate drowning may be the only method reasonably available to a hunter.

Turtles do not die quickly when the head is cut from the body and/or their neck is cut in an attempt to bleed them out. A hunter must destroy the brain to ensure a quick death. To kill a turtle quickly, a hunter needs to know the part of the brain that is most important to destroy.

Reference: Vet-MARTI, School of Veterinary Science, University of Queensland



The diagram below shows a turtle's head from above.

The part of the brain that needs to be destroyed is located under the position shown by the black dot.

However, it is not easy to destroy the brain.

Scientists have tested a humane method to destroy a turtle's brain that may be acceptable to traditional hunters. This device involves the use of a probe to destroy the hindbrain and sever the spinal cord.

### **What practices must be used?**

The Queensland Government does not want to impose particular practices on all hunters.

What may be an acceptable practice in one community might be unacceptable somewhere else.

Hunters need to use the best method that is reasonable in their circumstances and use that method with care, skill and judgement.

The Queensland Government encourages traditional owners and communities to work with scientists and others to agree on acceptable hunting practices based on science and practicality, while recognising local tradition and custom.

### **What practices cannot be used?**

The new rules set out some practices that are unacceptable. A person who uses one of these methods could not say that they had used as little pain as was reasonable and could be guilty of animal cruelty.

These unacceptable practices include:

- injuring the animal after it has been captured to stop it escaping and to keep it alive, for example, breaking or removing a limb
- injuring or prolonging the life of the animal to attract another animal, for example, tethering a dugong calf to attract other mature dugongs
- cutting flesh from the animal to eat before it is dead
- causing the animal pain from dehydration or starvation, for example, leaving turtles on their backs for prolonged periods of time.

There may be many other practices that communities and scientists agree are unacceptable because they do not cause as little pain as is reasonable.

### **More information**

For more information on the device that destroys the hindbrain and severs the spinal cord, contact Torres Strait Regional Authority on 07 40690700.

For further information on Queensland's animal welfare laws, contact Biosecurity Queensland on 13 25 23 or visit [www.biosecurity.qld.gov.au](http://www.biosecurity.qld.gov.au)