The following regulations set out the framework for all cruelty reports submitted to the RSCPA during the kangaroo "cull"

Animal welfare offences

1. As you know, cruelty to an animal is an offence under section 7 of the *Animal Welfare Act 1992* (ACT) (**AW Act**).

2. An act of cruelty that causes serious injury or death to an animal is an offence of aggravated cruelty if the person is reckless about causing the death of, or serious injury to, the animal (AW Act s 7A).

3. These offences apply to wild kangaroos because 'animal' is defined in the AW Act's Dictionary to include '(a) a live member of a vertebrate species, including— (iv) a mammal (other than a human being)'. This includes wild macropods such as Eastern Grey Kangaroos.

4. 'Cruelty', in relation to an animal including a kangaroo, is defined in section 6A of the AW Act to include: doing, or not doing, something to an animal that causes, or is likely to cause, injury, pain, stress or death to the animal that is unjustifiable, unnecessary or unreasonable in the circumstances

Exceptions

5. The cruelty offences in sections 7 and 7A of the AW Act do not apply to conduct that occurred in accordance with an approved code of conduct (s 20). (**the Code**) is approved under section 22 of the AW Act and therefore applies to the shooting of kangaroos in the ACT.[1] This means that conduct that may otherwise constitute an act of cruelty is not an offence if the conduct was in accordance with the Code.

6. It is, however, arguable that the exception under section 20 does not apply in some cases because the conduct, for example shooting kangaroos in high winds, rain and fog or shooting kangaroos in a way that causes them to bleed profusely, would not be in accordance with the Code. This means that the relevant conduct could constitute an act of cruelty under the AW Act. This view is based on the parts of the Code discussed below.

Code of practice

7. The Code states clearly that: 'Where the conditions are such as to raise doubts about achieving a sudden and humane death, **shooting must not be attempted**.'[2]

8. The Code further states that: …the shot pattern should be centred on the brain or heart of the target animal. The shooter must be able to place a clear shot into one of these target areas whether the animal is moving or stationary. **If this is not possible, the attempt must be**

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[1] https://www.legislation.act.gov.au/di/2014-23/.

abandoned.[3]

9. The Code sets out various mandatory conditions for the shooting of kangaroos and states: **Where the conditions set out below cannot be met, or where there is any doubt about achieving a sudden and humane death, shooting must not be attempted**.[4]

10. This is because the Code specifies that: When shooting a kangaroo or wallaby, **the primary objective must be to achieve instantaneous loss of consciousness and rapid death without regaining consciousness**. For the purposes of the Code, this is regarded as a sudden and humane death.[5]

T*he complaint - Red Hill Nature Reserve*

Attached is a map of the location where a gunshot was heard and videoed by reserve watcher ST at 23.33pm on the night of 23 June 2026. As well as a weather update.

It is very likely that shooting in dense fog is a breach as prescribed in the The *Animal Welfare (Humane Shooting of Kangaroos and Wallabies) Code of Practice 2014 (No 1)*. And a breach of the Code of Practice is also a breach under the Animal Welfare Act 1992 which the RSPCA is responsible for administering.

The Code states clearly that: 'Where the conditions are such as to raise doubts about achieving a sudden and humane death, **shooting must not be attempted**.'

The Code further states various mandatory conditions: …**Where the conditions set out below cannot be met, or where there is any doubt about achieving a sudden and humane death, shooting must not be attempted**.

The video clearly shows how dense the fog was at Red Hill Nature Reserve that night and into the early morning. Research on various shooters internet sites states that fog does impact a shooter's night vision equipment and therefore reduces visibility and target range. It also changes the trajectory of the bullet. Any thermal equipment will not work as good in difficult weather conditions as it can perform when the weather outside is perfect. Even our own eyes have trouble seeing well in fog.

Furthermore, I note that since the kangaroo "cull" commenced on 2 June 2026, no sighting has been made of rangers actually accompanying the shooters. Instead rangers are posted inside the reserves making sure people do not enter while the shooters carry on shooting unsupervised. This should be a further question to be posed to the ACT Government whose representatives have publicly stated contracted shooters are supervised at all times.

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PART TWO

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I have obtained additional evidence to support this report. Another reserve watcher AK found a jaw bone from a kangaroo at the very location reserve watcher ST videoed a shotgun being discharged in dense fog. A photo of the jawbone, a blood puddle and a screenshot of the location is attached.

According to the Code, when shooting a kangaroo, the recommended humane shot placement is either the head or chest kill zone to ensure rapid unconsciousness and death. The chest is generally preferred because it offers a larger target area, reducing the risk of wounding and non-fatal injuries.

Head Kill Zone

Location: The base of the ear when viewed from the side

Effect: A well-placed shot here can instantly render the animal unconscious, causing immediate death with minimal suffering.

Chest Kill Zone

Location: The middle of the chest, just behind the shoulder joint.

Effect: This area is larger and contains vital organs such as the heart and lungs. A shot to the chest can also lead to rapid unconsciousness and death, often through significant blood loss.

While both shot placements are effective, the chest kill zone is generally preferred due to its larger target area, which reduces the risk of wounding and ensures a more humane outcome.

Therefore, if shooting occurs in conditions that were likely to cause a miss-shot, and a miss-shot occurs such as shooting the kangaroo in its jaw, the act of cruelty occasioned by the miss-shot constitutes an offence under the AW Act.

Also, I bring to your attention the use of drones during the “cull” over the last couple of years. I personally witnessed on Thursday night from 6pm to 10pm the continual use of a drone over both Callum Brae and West Jerrabomberra Nature Reserves looking for kangaroos. During the four hours 5 shots were heard. This is clear evidence that the number of kangaroos targeted by the ACT Government are simply not there.

Finally, you mentioned in our meeting, you were going to look into the types of guns and ammunition the shooters use. We would be very interested to know this information.

Dear Warrick

It is just three weeks into the ACT Government's annual kangaroo "cull" and we are providing you with more evidence of the complete incompetence of the Government's contracted shooters. Attached are photos of blood puddles taken on Wednesday morning 24 June. It is clear from the attached photos, the kangaroos were killed in the early hours of that morning because the blood is still a rich red colour and has yet to be soaked up by the grass.

The Code specifies that: When shooting a kangaroo or wallaby, **the primary objective must be to achieve instantaneous loss of consciousness and rapid death without regaining consciousness**. For the purposes of the Code, this is regarded as a sudden and humane death. As I have already mentioned in my previous cruelty complaints, shooting kangaroos in high winds, rain and fog or shooting kangaroos in a way that causes them to bleed profusely, would not be in accordance with the Code. This means that the relevant conduct could constitute an act of cruelty under the AW Act.

I also have taken the liberty of measuring the "overgrown" grass around the Red Hill Nature Reserve. The ACT Government states they are "culling" kangaroos to preserve reserve grass height of between 5-15cm. The grass I have measured is 61cm.

I am hoping you have undertaken some spot-checks on various Nature Reserves to see for yourself.

Finally, as suggested by you, I asked the Conservator to provide a mobile number for the Incident Controller for each BMU. His reply was to direct reserve watchers to the Access Canberra. I don't believe this approach to be very helpful when you are watching what you believe to be animal cruelty taking place and having to go through a call centre before you can speak to the Incident Controller.