



## DEPARTMENT OF PARKS AND WILDLIFE

### SCIENCE AND CONSERVATION DIVISION GUIDELINE

#### MANAGEMENT OF FAUNA IN THE CUSTODY OF THE DEPARTMENT OF PARKS AND WILDLIFE

March 2017

#### OBJECTIVE

To ensure the best outcome for native fauna and its wild populations through the management of individual fauna that is the property of the Crown, and has been seized, forfeited, abandoned or surrendered and is in the custody of the Department of Parks and Wildlife.

#### SCOPE

This guideline provides a decision-making framework for the management of fauna in Western Australia that is the property of the Crown and in the custody of the Department and which requires a management decision about its future. This includes fauna that is in the custody of the Department that is:

- not lawfully taken;
- being kept without lawful authority (i.e. without an appropriate licence) and has been made forfeit to the Crown by a magistrate;
- surrendered and ownership is transferred to the Department;
- displaced fauna that has been handed to the Department; or
- abandoned fauna that has been made forfeit to the Crown by a Justice of the Peace.

This guideline does not, in the first instance, apply to fauna that is sick, diseased or injured or that is abandoned juvenile fauna<sup>1</sup>. The immediate welfare of such fauna must first be considered, which may require the application of first aid, rehabilitation or euthanasia, to achieve a humane outcome prior to any decision-making about the appropriate long-term management outcome for the individual.

This guideline pertains only to fauna as defined in the *Wildlife Conservation Act 1950*. Species that are not native to Australia or declared pests under the *Biosecurity and Agriculture Management Act 2007* must be referred to the Department of Agriculture and Food WA for appropriate management.

#### CONTEXT

Fauna is the property of the Crown unless taken or kept under lawful authority (i.e. licences issued under the *Wildlife Conservation Regulations 1970* or the *Wildlife Conservation (Reptiles and Amphibians) Regulations 2002*). This includes when fauna is seized or forfeited due to their unlawful take or keeping (for example, native reptiles used in the illegal pet trade), surrendered due to accidental take (for example, stow aways in

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<sup>1</sup> As per the definition in regulation 28A of the *Wildlife Conservation Regulations 1970*.

vehicles or vessels), abandoned, or otherwise require management. In such cases, fauna may come into the custody of the Department for management.

The decision of how best to manage such fauna must consider both the welfare of the individual and the conservation of existing populations of that individual's species.

## **LEGISLATION AND ASSOCIATED POLICY**

Fauna is protected under the *Wildlife Conservation Act 1950*. The Wildlife Conservation Regulations 1970 and Wildlife Conservation (Reptiles and Amphibians) Regulations 2002 (Herpetofauna Regulations) outline the circumstances and processes for licensing the take, keep and display of fauna, and the care of sick, diseased, injured or abandoned juvenile fauna.

The *Animal Welfare Act 2002* (AW Act) provides for the welfare, safety and health of animals and to regulate the use of animals for scientific purposes.

This guideline directly relates to the Department's Corporate Policy Statement No. 37 Management of Wildlife Utilisation and Corporate Guideline No. 36 Recovery of Threatened Species through Translocation and Captive Breeding or Propagation.

The Department has a number of standard operating procedures (SOP) that have been developed in conjunction with the Department's Animal Ethics Committee to guide staff undertaking scientific research. A number of these SOPs may provide further guidance, including SOP No: 14.2 First aid for animals, SOP No: 15.1 Humane killing of animals under field conditions in wildlife management and SOP No: 16.2 Managing disease risk in wildlife management. In addition, relevant approved species management plans, and recovery plans should also be referred to as applicable when making decisions about the management of fauna in the Department's custody.

## **DEFINITIONS**

**Abandoned juvenile fauna**, in accordance with the definition in the *Wildlife Conservation Act 1950* means fauna:

- a) of a species the juveniles of which are normally cared for by a parent; and
- b) that is of an age which it would normally still be being cared for by a parent; and
- c) that has been abandoned by or separated from its parents.

**Approved conservation management program** includes:

- i. a Zoos and Aquarium Association (ZAA) approved species management program;
- ii. captive breeding programs approved by the relevant government authority; or
- iii. wildlife management programs, including recovery plans.

**Captive breeding** can be defined as the generation of fauna through managed breeding in an enclosed facility for a conservation purpose.

**Conservation benefit / purpose** can be defined as a purpose that actively contributes to conservation and/or the recovery of the species through training, education programs and interpretation. This may also include associated research activities, support for wildlife projects, fauna breeding programs (particularly breeding fauna for release into the wild), wildlife rehabilitation, and partnerships with other groups and organisations.

**Custody** refers to being in possession and taking responsibility and care for fauna.

**Fauna** is the same definition as in the *Wildlife Conservation Act 1950* and includes any animal indigenous to, or that periodically migrates to and lives in, any State or Territory of the Commonwealth or the territorial waters of the Commonwealth.

**Perth Zoo** refers to the Perth Zoological Park as set out in the *Zoological Gardens Act 1972*.

## GUIDANCE

The following principles will be considered in determining the appropriate management of native fauna that are the property of the Crown and in the custody of the Department.

1. **Ensure animal welfare is not compromised.** The immediate welfare of fauna must first be considered to achieve a humane outcome for the individual.
2. **Protect wild populations.** Displaced fauna should not be returned to the wild if it poses an unreasonable risk to native populations (through disease transmission, displacement of extant species, or compromising the genetic integrity or behavioural repertoire of wild populations).
3. **Consider conservation status.** High conservation value species will be given special consideration for management, involving consultation with subject matter experts.
4. **Fauna to be kept in captivity for research and educational purposes only where there is a conservation benefit.** The keeping of fauna will only be considered for established/recognised zoos, wildlife parks and facilities, education organisations/institutions/establishments and approved breeding programs for species recovery where a conservation benefit can be demonstrated.
5. **Placement of herpetofauna into the pet herpetofauna trade.** Fauna that is declared as pet herpetofauna under the Wildlife Conservation (Reptiles and Amphibians) Regulations 2002 may be used in the legal pet trade.

Figure 1 outlines the decision process to be used in applying these principles. Options for management of such fauna falls into three principal categories:

### 1) Release of fauna into the wild

The decision to release individuals into the wild must consider the contribution the individual may make to wild populations balanced against the risk to the individual and wild populations. Fauna should not be released into the wild unless the provenance of the individual is confidently known and release at the location of origin, or suitable habitat in the likely vicinity, is feasible. Release at a new location may jeopardise the genetic integrity or behavioural repertoire of wild populations, and put the individual at unacceptable risk if released into inappropriate habitat. An exception to this may be the release of fauna as part of an approved conservation translocation program, where fauna is deliberately placed into a new area but consideration has been given to habitat suitability and likely interactions with other wildlife. Expert advice should be sought regarding appropriate species-specific habitat release requirements.

Diseases can have severe negative impacts on wild populations, therefore the risk associated with an individual being considered for wild release of having a disease must be evaluated. Many diseases cannot be screened for, and even with the strictest quarantine, fauna can rarely be deemed disease-free. Species known to be commonly afflicted with disease, such as pythons and frogs, should not be released into the wild as a precaution. Consideration should be made as to whether the individual is likely to have been exposed to disease or novel parasites based on the

amount of time and conditions in which it has been held in captivity. A quarantine period and health screening may assist in addressing these risks however the feasibility of applying quarantine, health screening and monitoring to the individual for signs of disease before release should be considered.

Any fauna that has been deliberately or inadvertently removed from an island must not be returned to the island due to an increased biosecurity risk. Island populations are often highly susceptible to disease due to their evolution in isolation and typically small population sizes.

Other factors to consider in determining the feasibility of releasing fauna into the wild include:

- species of high conservation value – species that are threatened or rare, or part of an approved conservation management program, may be given special consideration for release into the wild, in accordance with the principles in these guidelines and/or an approved management program or translocation program;
- sex of fauna – females are generally of greater value to the population due to their ability to reproduce;
- potential displacement of extant fauna; and
- cost or logistics of release – resources or logistics may limit the feasibility of returning fauna that is not of high conservation value to the wild or to remote locations.

## 2) **Retain fauna in captivity**

Fauna that has been displaced from its natural environment and come into the custody of the Department is already in captivity, and there are several reasons that it may be suitable for fauna to remain in captivity:

### a) **Species of high conservation value may be utilised in captive breeding or other conservation programs.**

Consideration should be made for species of high conservation value to be included in captive breeding (if an approved program exists) or other approved conservation management programs, such as translocation programs, where return to the wild is not feasible. Decisions about the use of fauna in captive breeding and other conservation programs are made in consultation with the Principal Zoologist, Species and Communities Branch.

### b) **Fauna may be used for research or educational purposes by zoos or other research and education institutions.**

Research and education programs can have direct relevance to conservation by raising awareness, encouraging appreciation, and increasing knowledge to assist in the protection and management of native wildlife. The use of fauna that is in the custody of the Department in such programs may be a more appropriate use of the fauna, especially if the alternative is to source animals from the wild. Requests for fauna for research and educational purposes are managed by the Principal Zoologist, Species and Communities Branch.

### c) **Fauna that are declared as ‘pet herpetofauna’ under the Wildlife Conservation (Reptiles and Amphibians) Regulations 2002 may be used in the legal pet trade.**

In Western Australia, reptiles and amphibians declared as pet herpetofauna under Regulation 4 of the Wildlife Conservation (Reptiles and Amphibians) Regulations 2002 (as listed in Schedule 1 by notice in the *Government Gazette*)

can be kept as pets under a licence. Placing fauna into the licenced pet trade may reduce pressures on the wild harvest of these species and provide a humane outcome for the individual. The placement of fauna into the licenced pet trade is managed by Nature Protection Branch.

In all circumstances where fauna are maintained in captivity, fauna must be afforded humane conditions and appropriate care throughout their natural lives, and kept in accordance with relevant legislation, codes and guidelines.

### **3) Euthanasia**

If fauna is not suitable for release or use for conservation, research or educational purposes, or where fauna survival is compromised (i.e. sick, diseased, injured or abandoned juvenile fauna), euthanasia is considered the most humane outcome.

Euthanasia must be undertaken using approved, humane methods, by appropriately trained and licenced personnel (refer to SOP No: 15.1 Humane killing of animals under field conditions in wildlife management as a guide). The specimen should be made available firstly to the WA Museum, then other research and education institutions under an appropriate licence, if requested. The requesting entity should also state how the specimen should be preserved to ensure it is viable for its requested purpose (for example, freezing the specimen may make it unsuitable for certain analyses). Guidance on preserving specimens is also available in the Department's standard operating procedure SOP No: 8.1 Vouchering vertebrate fauna specimens. Requests for fauna specimens for research and educational purposes are managed by the Principal Zoologist, Species and Communities Branch.

Each individual instance of fauna in the Department's custody will be assessed on a case-by-case basis. Special cases may require consultation with experts, such as for species of high conservation value and decisions should be made in accordance with the principles and decision-making framework outlined to maximise the conservation and animal welfare outcomes for the fauna.

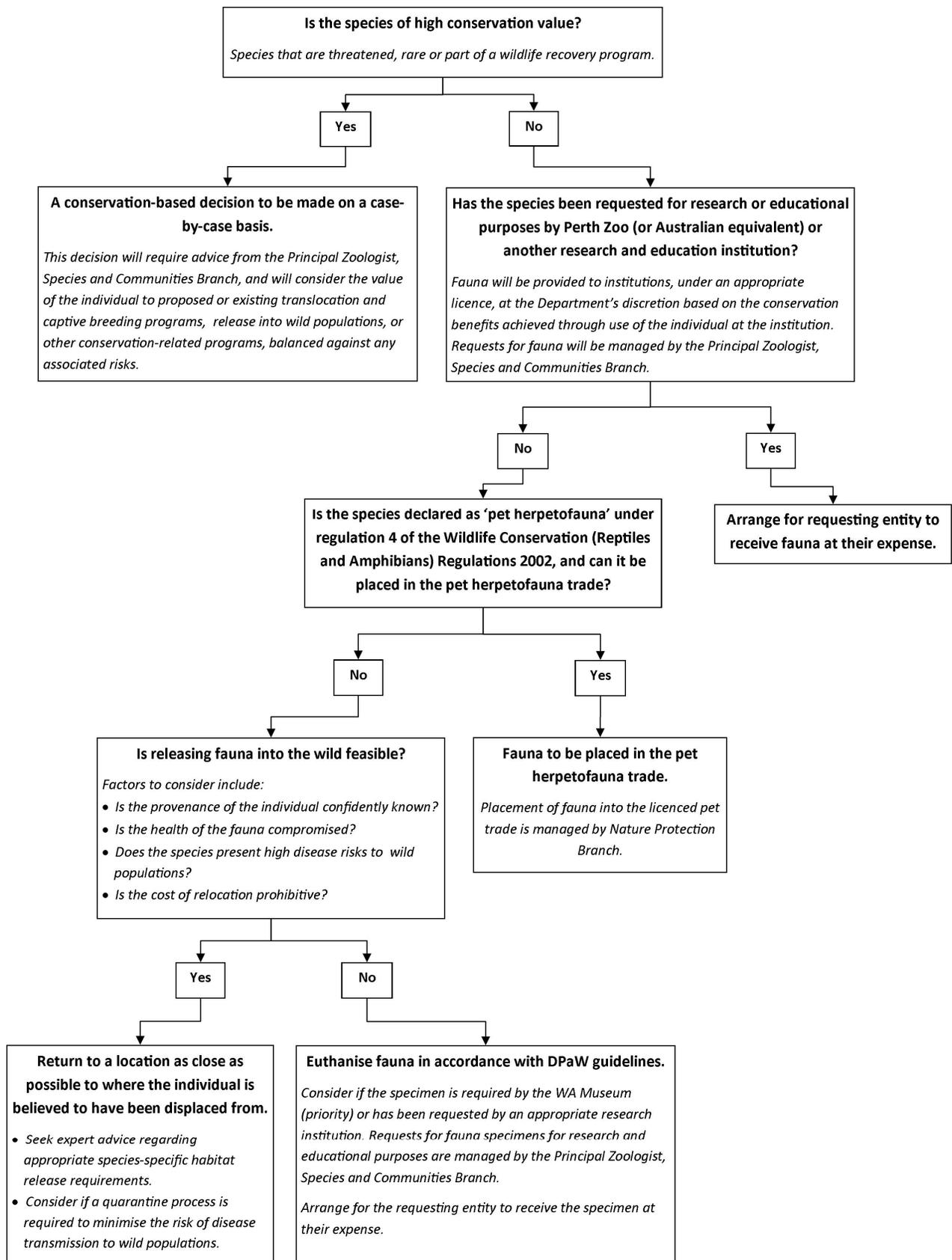
### **DIRECTOR APPROVAL**

Approved by:



Margaret Byrne  
DIRECTOR SCIENCE AND CONSERVATION

Effective date: 3 March 2017



**Figure 1: Decision tree to guide the management of native fauna that is the property of the Crown and in the custody of the Department of Parks and Wildlife.**