FOX ERADICATION PROGRAM

Dr DAVID OBENDORF, REGISTERED VETERINARIAN, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mr Wilkinson) - David, thanks for coming along again. No doubt you've been keeping up with what's transpired. What more do you want to tell us in relation to extra evidence that you may have heard that you wish to refute, agree with or otherwise?

Dr OBENDORF - Thank you very much for the opportunity. I have provided this as a background document. I've really got to the crux of the question that was asked about how to refine activities or look at ideas and proposals that might improve the efficiency of the program that's currently under way and I picked up on a High Court judge's assessment of public policy that was contentious. He made two points that I thought were very critical. He looked at the point of view of public acceptance of the process; is it an accepted public policy and will whatever is being argued for effectively work?

I've gone back through this whole program over the last seven years and really reviewed it in the context of what we've learnt from that. I've addressed it in that context of looking at community acceptance and whether there is genuinely expressed convictions that there is a real and imminent threat. I guess I am coming from a risk management point of view of saying that if you had a serious fire threat or an epidemic of disease or a food safety risk or a storm warning you would accept that the public policy would have to be robust and very comprehensive in order for people to start to be credible about believing that that was a threat. It is sort of like crying wolf - if that information is not robust then people will be less accepting of taking that reference again.

In this case I was looking at how you improve the level of community acceptance because my indication, my view, was that it was based around the steadfast trust people had as a community to believe that this was a problem and that that came down to issues like the credibility of eye witnesses, the independence and repeatability of that truth that was being made as a realisation and the open and formal confirmation that that reality was correct. In other words, how the Government confirmed the veracity of that reality.

So, in short, I said, 'Does this add up to being a credible scenario of something that the community will accept?' It was really around the basis of looking at it from the point of view of saying, 'Well, it's one thing to say it's a precautionary response to a controversial threat but built into risk assessment and risk management is the need to have some robustness to say, "Look, you're dealing with not just the perceived threat but it is a real and imminent threat and it's realisable through physical evidence that links that evidence to a particular site".'
The way I've considered this is looking at public confidence because I felt that was paramount to the success of this program. If you have no public confidence in dealing with an issue as important as an emergent, invasive, feral species then you really lose momentum quickly, and I see it as both a top-down process and a bottom-up process. The top-down one is the directive of leadership and the sort of authenticity, validation that comes from government. The bottom-up is really about saying there is a broad spectrum of agreement across the community that this is real, it is tangible, people know about it and they recognise it; they're talking about it and they want to do something about it.

I've couched it along those lines and gone further to say when you go back through the literature that's on the public record, not just that has come through this committee, but through years and years of debate in public places like the newspapers, on television, various workshops et cetera, it appears to me to be an extremely contentious area. But it does have a date, and that relates to the emergence of this well-publicised single fox escape from Burnie in 1998. I was concerned about where the confusion in the public story-lines was happening. It is one thing to say, yes, we have definitely got a reference point that says a fox has escaped from a container vessel or a ferry into Tasmania, but how do we reference that in relation to the other stories that have come through about a malicious intentional decision by some individuals to bring these animals in and to release them in four different locations, versus a failure of our biosecurity program to keep this threat out? To me it was not as if the scepticism was coming out of an outright rejection to keep Tasmania fox-free, but rather the sense that the story-lines were getting confused. People wanted to ask how did this happen, how long has it been here, what is going on, and how robust is the evidence? I have been at it for a long time, probably longer than I needed to be, and I am getting rather tired now, but it is just regrettable to me that other scientists have not taken the time to really analyse methodically the forensic and diagnostic evidence that has been presented, because there are pieces of evidence which of themselves are critical pieces of evidence, but they need to run together in terms of a story-line. They have to add up.

CHAIR - David, do you believe that there are foxes in Tasmania?

Dr OBENDORF - I believe there have been foxes in Tasmania, and I believe the potential for foxes to establish here is very likely, but it is a matter of unravelling a sort of sense of I believe in God or I believe in something, and really taking that into a situation where you make it something that you can address. Is it something that you can realistically address?

CHAIR - Therefore you are saying you believe there have been, or there has been?

Dr OBENDORF - There has been.

CHAIR - Do I take it that you are saying you don't know whether there are still foxes, or alternatively are you saying, 'Look, on the evidence as I know it, there could well still be foxes'?

Dr OBENDORF - That is correct. I think your second point is valid. I want to be robust and feel confident that the people who are undertaking this program know what they are doing. They have been pussyfooting, and I use that word pussyfooting, for a long time...
about the difference between fox presence and fox establishment. It is one thing to have incidents where foxes are seen in the landscape, versus the establishment of foxes, in other words breeding, and to me that is a very important, critical factor.

Mr HIDDING - Is this not a bit like climate change? While ever we argue about who created climate change, who has created the carbon issue, we are not working on some solutions, and I hear that often. Therefore we need to get over the politics of who created it and start dealing with some solutions. Is this not a bit like this? We are aware that the Fox Task Force recently with its New Zealand report may well have its nose pointed in another direction, to say, 'Let's harden up now. If you believe there are foxes there, get after them and kill them, and let's stop any more from coming in' - that kind of thing. We are, I guess, faced with sharpening it up to a certain degree.

Dr OBENDORF - Yes.

Mr HIDDING - You say, 'In order to gain universal public acceptance and confidence that foxes are free-ranging and breeding in all areas, further efforts are required to obtain compelling, repeatable and conclusive field evidence of fox presence'. Is that not a massive distraction to that task of killing the ones that are here?

Dr OBENDORF - I believe not. I believe you have to have that building of the bottom up and the top down because at the moment I believe, looking at the evidence over seven years, it is still flaky, flaky in the sense that you can have physical evidence but you have to link that evidence to the location, and I am waiting for the nailing-down of this as an issue to say that there is something that says there is fox establishment in a location. You have probably seen the various maps. This is one of the public relations posters, and you see what they call the hard evidence so far, listing from 2001 right through to 2007. If this is a compelling scenario and we have low-density foxes across the whole of the landscapes in which they have found physical evidence, and now of course it has extended into Gladstone, part of the east coast and now down into Cygnet, right along the Midlands spine, across to Boat Harbour and around Wynyard, you would have to say you have a phenomenal problem if you do have the extensiveness of fox establishment at that level, because we must assume therefore that these foxes have existed there and they are breeding, but we have no evidence so far that the Government has come up with to show that they are breeding.

Mr HIDDING - So with your recommendation it could be, of course, that you could spend most of your money available on this task to obtain compelling, repeatable and conclusive field evidence, and do nothing about killing the ones that are here. Can I ask you for your comment on a statement that may or may not appear, or a version of it may or may not appear in a report? I guess I am just road-testing here. Could you agree that there is sufficient scientific evidence that a number of foxes exist in the wild in Tasmania which would require that the department act in a manner as though those foxes' existence is an established fact?

Dr OBENDORF - Is an established fact?

Mr HIDDING - Yes.

Dr OBENDORF - Yes.
Mr HIDDING - Don't you have to behave as though it is an established fact?

Dr OBENDORF - That is a precautionary approach, yes.

Mr HIDDING - Yes, you have to.

Dr OBENDORF - I have read the Hansard and I have read your opinion upon that, and that is one approach to take. I am talking about building confidence in the community. This is a humungous issue to deal with because you are dealing with an open-ended budgetary allocation that may go on for a long, long time. You must build community confidence, and the community has a level of scepticism and downright animosity to parts of this program.

Mr HIDDING - Which could actually distract us from the job of killing these foxes and, if certain scientists who had reservations about compelling, repeatable and conclusive field evidence of foxes thought, 'Instead of saying this stuff, I'll show some leadership and actually say' -

Dr OBENDORF - Are you talking about me?

Mr HIDDING - Yes. As an example, 'I will show some leadership and say in spite of my reservations, I think that there are foxes here and we should get behind the Fox Task Force'. Then a lot of this stuff you are talking about here would go away because David Obendorf is an impressive person who -

Dr OBENDORF - But, with respect, I think this document is trying to be conciliatory and very comprehensive in saying you have to build the two aspects of this particular criteria of assessment. It is currently not accepted across the community as being, in the current framework of how it is configured -

Mr HIDDING - Does your demeanour add to or subtract from that problem?

Dr OBENDORF - I believe it adds to it because in most cases the Government has not criticised what I am saying. In fact in most cases they have used the information that has been made available through my sources and others to improve - and I saw that Mr Mooney uses the term 'cherry-picking' to say that the assumptions document that I provided to the committee was a useful -

Mr HIDDING - At that professional level your attitude is particularly useful, which is my point exactly. But if you are saying there is a major problem out there that the community is not accepting it, and the only way we could correct that is by having all the Fox Task Force activity -

Dr OBENDORF - No, I didn't say that.

Mr HIDDING - out trying to prove its existence, which in my view is exactly its problem. It is trying to resolve the issue in David Obendorf's mind rather than getting about killing the foxes.
Dr OBENDORF - I don't believe that they are reacting to me. I think they have serious questions within their own fraternity to say, 'This is not adding up. We need to put these sequential blocks in a line and ask is there a bomb-proof case to say that, for argument's sake, the Conara/Campbell Town/Epping Forest area is a hot-bed for foxes?' They have taken part, and you have heard about it, in a wildlife research paper on looking at low-density fox populations in parts of New South Wales. They were looking at the accuracy of different methodologies for proving the presence of absence of foxes at low densities. One of the conclusions that came out of that was that the use of attractants at certain sites where you have sensor cameras can be a very useful way of providing definitive evidence of the presence of foxes. This was something that we were banging on about several years ago and they have now agreed that it is an important part of the methodology that has to be complied with because you can just imagine; if tonight's news had a digital picture of a fox that was taken from Epping Forrest it would nail me into the coffin totally.

Mr HIDDING - David, you're a scientist; you don't need pictures.

Dr OBENDORF - I do.

Mr HIDDING - What does a scat mean?

Dr OBENDORF - A scat on its own is a transportable piece of evidence.

Mr HIDDING - Ah, I see. Yes, that's what you guys are saying; that somebody's putting the scats there.

Mr DEAN - No.

Mr HIDDING - You recently were saying there's a light aircraft flying around Tasmania dropping scats or somebody is driving around dropping scats around Tasmania. Say what's on your mind.

Dr OBENDORF - What I am looking for is perhaps, without you putting words in my mouth, to say that if a scat is found then I can say that is possibly, plausibly, a fox scat, a devil scat, a quoll scat, a feral cat scat. If the DNA evidence says it's fox scat then I believe that evidence to be fox scat. Then I say "What links that fox scat to the other fox scat that you found 300 metres over there? Are they from the same animal?" The DNA is so robust that it can say yes, they are from the same animal. If we had two fox scats from the same location, from the same animal by DNA, I would say that is compelling evidence that that is likely to have been an animal that lived in that environment. If Barbara Triggs takes that scat away and she teases out the hairs and shows definitively that that fox scat contains the hair of Tasmanian bettong or Tasmanian pademelon in substantial quantities, in other words, the animal had eaten an animal, then it says you have an endemic species in a fox scat and it is highly unlikely that somebody has taken the covert action of taking a pademelon, feeding it to a fox, allowing it to defecate twice, bringing those scats to Tasmania and depositing them covertly.

Mr HIDDING - It's the reverse isn't it, that it's highly likely that something else is happening.
Dr OBENDORF - What I am looking for is not to prove that there are intentional attempts to defraud but saying, 'How valid is the evidence that is currently available?' At the moment we have, I think, up to 40 scats that have now been proven to be fox-positive from various locations. I've asked the critical question, 'How many of them are closely related?' and it appears that none are, that there are eight to 10 distinctively different animals. And I've asked the question, 'How many of those 40 scats have contained a common species that is endemic in Tasmania?' At the moment they have said none have.

Mr HIDDING - That's an odd-ball piece of advice, I agree with that, and Barbara Triggs or somebody said that.

Dr OBENDORF - Yes.

Mr HIDDING - Is that enough? Is your doubt over that enough to knock out other issues?

Dr OBENDORF - No, not at all. I think the committee asked me to look at improving and refining the proposal. I gave a report in 2002 about building public confidence around animal health disease issues, about incursions risks, and the subtitle of my paper was about shared responsibility because if you don't have both the top down and the bottom up working and in the middle you have good scientific infrastructure then the thing just collapses. Somebody says, 'I haven't equine influenza on my farm and if anybody comes onto my farm I'm going to deal with them', so you have to build the sense that this is a serious issue, and that's what I am saying here.

Mr HIDDING - Just going back to what you said originally, you believe there have been foxes in Tasmania.

Dr OBENDORF - Yes, correct.

Mr HIDDING - Why are you saying that?

Dr OBENDORF - Well, there has been evidence which has convinced me beyond -

Mr HIDDING - Why aren't you saying that they still exist?

Dr OBENDORF - I haven't got evidence to say that they're still alive. What I'm looking for is the evidence to say that foxes are established. I would be very happy and I've already -

Mr HIDDING - If somebody found a fox scat and it was three weeks old or something, that's not enough for you?

Dr OBENDORF - It's hard to date it but if the DNA was very obvious, good-quality DNA and they were able to recover it, and the scat looks fresh, that would say it is a fresh scat. It does not say that it is from that location. I might know that Rene Hidding sat in that chair at some stage because we have collected the DNA -

Mr HIDDING - I understand about science, that is all beaut.

Dr OBENDORF - it is not saying that you are still sitting in that chair.
Mr HIDDING - All you are saying is all beat stuff, but you have gone on here about the community's response, and they are not looking for science, they are looking for scientists to tell them what is going on, and you are not telling them there are foxes here.

Dr OBENDORF - With respect, I would like to be able to say I am now convinced.

Mr HIDDING - We are not even going to say that. We are proposing something along the lines that there is sufficient scientific evidence that a number of foxes exist in the wild in Tasmania which would require the department to act in a manner that the foxes' existence - I have just made this up. I have just written this down, because I cannot remember what I said back then, but I firmly believe that the department has no option, and in public policy terms this Government and this Parliament has no option other than to fund this department to do its stuff.

Dr OBENDORF - But not open-ended, with respect.

CHAIR - And that's the argument, isn't it, if I might. It seems to me that what we are saying is this, that yes, there have been foxes here - please tell me if I am wrong, David - and a method of eradication should be in play, because eradication is the only way that you can properly protect the environment, but it is the methods of the eradication and the methods used by the department that you are questioning. Is that right?

Dr OBENDORF - It is part of it. I finished with a conclusion to say we will never know what a cost-effective and genuinely open approach to managing this type of perceived threat might have achieved because, with respect to everybody involved, if this was going through a very serious, open transparent process of number crunching and looking at efficiencies, effectiveness of different effective tools, what you were going to deploy, how you would involve the community, you would come to the conclusion fairly early on that once the horse has bolted, it is an extremely difficult thing to control. When I did the assumptions document I went back and said that even on the basis of the information that Sally Bryant produced in the action plan originally that Nick Mooney and others have contributed to subsequently and other people have referred to in their various reviews, Tasmania has been a location where fox incursions have occurred on several occasions. Historically people have attempted to release foxes. And what I ask myself as the critical question is - this is what I came up with in the second part - what was the unique ecological process that might have existed in Tasmania that kept under control whatever foxes that were allowed to escape or did escape - in other words, cryptic and completely under the radar - and it is pretty much accepted, I think, by the department that devils play that role very effectively. So in other words, they are a quasi fox task force, and they have been for many years if we go on that sort of scenario, because they are looking for easy carrion, they have a good nose, they find smelly dens. So my sense was that this was something that needed to brought into the equation of saying that it may be that this species will be a cryptic species, whether we do nothing. Okay, this devil facial tumour has knocked out 70 per cent of the devils, and it is likely that this species is going to have to be relisted as critically endangered very soon, but the fact is that it is doing an environmental service to keep foxes under control.

The other question I am asking is what is the robustness of believing that buried meat baits are going to eradicate foxes in those locations where they are thought to exist, based on the hot-spotting of the faeces that have been found? That to me needs to be
really robustly thought through, and I think even the New Zealand landcare research people had concerns. You are talking about a long-term program of re-baiting areas for many years to come, and you are talking about areas that would be preferred habitat for foxes, so it may not just be your agricultural areas. It may be into some of the bush interface areas as well, and even into national parks. That becomes a substantial commitment in public resources.

**Mr HIDDING** - All of that makes sense except for the scats that we're finding. That's the problem.

**Dr OBENDORF** - Absolutely. So you're getting back to -

**Mr HIDDING** - Should we stop looking for them?

**Dr OBENDORF** - No, not at all.

The second part of my process was to look at whether it will work and it was around the issue of saying that I believe that you need this decision-making framework as a means to critically evaluate the current and future task force activities because there's been considerable quantities of taxpayer-funded moneys going into this program already and, to me, it's still absolutely essential to understand the relationship between the fox in this environment and how in blazes are we going to use the techniques that are currently available to control them because that's the question you, as public policy gatekeepers, will have to give, not that you wash your hands because I agree with you, the precautionary principle must prevail but it's about saying that you need to know whether you've got all the ducks lined up and you've said there is presence of foxes, there is establishment of foxes, there is spread of foxes; this is the effective tool for control and we must involve the community in taking some ownership in this process; government has an oversight and regulatory role and I have said quite clearly that there was a lack of leadership in enabling legislation to allow this to happen. That's when community gets the reality to believe, oh God, avian flu or horse flu or swine flu; it's a significant issue; we realise the Government is saying we've got to put resources into vaccination; we've got to stop the horses from coming in from Victoria; we've got all this.

So it's telling the community the top down is taking this very seriously. I didn't see that, with respect. I saw a very confused signal in 2000-01 and yet we did have real incidents. I think you've seen the article I wrote for the *Examiner* several months ago where there was evidence from a number of quarters that a fox had escaped from a container at the Agfest site in May 2001 and the bevy of credible sightings correlated directly with that sighting. Everything said to me that you don't have so many people from that location all seeing a fox within two to three weeks of each other without saying, 'You've got a fox there'. The fact was that the credible nature of that report was coming from originally Chris Spencer who was the biologist who went home and said, 'I've seen a fox'. It builds that sense that we have a problem here but is it a single fox or is it a bevy of foxes that are likely to become a problem? That's the conundrum you guys face, I guess, and girls.

**Ms FORREST** - You could argue that things are going well and that's why we're not seeing establishment of foxes. It could be argued that if they were established people would see them everywhere. So that's an argument that could be put. How would you do it
differently, David? What would you do that would be the most appropriate way forward now?

Dr OBENDORF - Ruth, it gets back to my first question. I think that once the community starts to believe that there is a different way of thinking about this process and that they will become joint stakeholders in the process then it gets to the issue of people not feeling intimidated about feeling that they're going to be ridiculed if they say they've seen a fox and they remain anonymous. I think this is a blight on the system. It would be better for these people to say, 'I have seen a fox. I am Joe Blow, this is when I saw it'. People might say, 'I know Joe Blow. He's not a person who's going to be silly with these things; he's obviously concerned about it'. This builds the confidence to say, 'Have other people seen it?'

I take the instance of the recent Cygnet meeting to which quite a large proportion of people came and yet the impression I got from a number of people who reported back to me on that meeting was that most of the people in that grouping at that time were not aware of these reports. In other words, they're looking around the room and saying, 'If there had been foxes seen in our location, why wasn't the bush network and the bush post working to tell other people they have just seen a fox on'

Mr HIDDING - Because of fear of ridicule, because there is a bunch of people out there saying, 'You're being ridiculous, you can't have seen a fox', that fox scats we are finding are being placed by people. There is a genuine fear of ridicule out there.

Ms FORREST - The fear of their reputation being tarnished by coming forward.

Mr HIDDING - Yes, that they are some kind of loonies for having seen a fox.

Dr OBENDORF - Okay. I just found that seven years of that seems to be fairly hard to hang together.

Mr HIDDING - Well, it is a pretty intractable argument against the fox too, you know, continually in the paper wherever I go around the electorate, the same nonsense about the scats being put there by someone, all this stuff. It keeps going, and that feeds the paranoia about people not wanting to put their hand up to say this sort of thing.

Mr DEAN - Who is saying that the scats are being put there by somebody?

Mr HIDDING - That is the clear inference, if you are saying the science does not stack up with these scats. If the science does stack up then you have to say that there are foxes alive in Tasmania. Dr Obendorf is not saying that, not prepared to say it.

Dr OBENDORF - What I am looking for is the sense that there is fox establishment. I have gone back and I have taken part, with the cooperation of the department, to analyse quite a bit of their diagnostic and forensic material, and particularly the critical cases that they use to really embed this as a lay-down misère-type scenario, and it is clear to me that there are changed story-lines. Initially we have the situation of the Lillico incident. First of all it is a bona fide road kill being seen by somebody, yes, they retrieve it three months later, two months later -
Mr HIDDING - I couldn't agree more.

Dr OBENDORF - and then you have the story-line that it was shot by a person out rabbiting and they shot this thing and they decided to dump the animal. We have the story-line with the animal at Epping Forest that of course it wasn't a road kill, it was not found on Glen Esk Road, it was actually killed somewhere else and transferred to this location because of fear of ridicule.

Mr HIDDING - Exactly.

Dr OBENDORF - Now to me it just does not add up. Three years ago -

CHAIR - If I can just stop you there, because we are starting to get a bit over time, it would seem to me that the major argument that you are putting forward is a fair argument which says, yes, I accept that there have been foxes in Tasmania, there may still be foxes in Tasmania, but I believe that what should be occurring is a program which is different to the program that is being put forward now. Is that a fair summary of your argument?

Dr OBENDORF - It is, and I think it is built around those two recommendations -

CHAIR - And we will take this into evidence.

Dr OBENDORF - because I think those recommendations are critical to building the confidence in both the program that is publicly funded and the part that is community-owned, because everything I have done in my life is saying the only way to deal with these intractable contentious issues is to involve participation. There are a number of examples where I have been approached by members of the public saying, 'I have come with expertise with foxes in Victoria and I have offered myself as a paid contractor or as a volunteer and I have been told, "Don't call us, we'll call you", and this sort of fob-off is a sense of saying if you can't use the expertise that people might have to assist you, then what are you going on to assist this program? As I say, I just wanted to say before you began, Jim, three years ago I offered a $1 000 reward for a genuine person to come forward with evidence that they had shot a fox or killed a fox and they were prepared to write a statement to the effect and maybe take a picture on their mobile phone, call me and I would come and look at it, call the department to come and retrieve the animal, and it would be building a validation of saying, 'I was out there on this night. I spotlighted this animal and I shot it, and here it is, and here am I', and if it is proven that that is the case and it all adds up, then that $1 000 is $1 000 extremely well spent.

Mr HIDDING - The absence of anybody claiming it says what to you? Nothing, I would suggest.

Dr OBENDORF - It is saying either there are no foxes in Tasmania, or there are very low densities and they are not being seen by commercial hunters and shooters.

CHAIR - But isn't that what you are inferring?

Dr OBENDORF - Well, that's one option. The other thing is that there are foxes and they're not being shot. But they are defecating and they're leaving their scat in different locations and those locations are now distributed across a large swathe of Tasmania.
thought that this was at least one way of trying to contribute something meritorious to this process by saying we need to have validated evidence.

**Mr DEAN** - If there are a number of foxes in the State - and that's the indication now - are you able to make any comment, David, on why they might not be breeding or is there any position on that? We've got them on the north-west coast, the east coast, through the centre and now we have got them down the south.

**Dr OBENDORF** - I cannot understand why they wouldn't be breeding, unless you didn't have males and females. That was the assumptions document. I'm saying it is one thing to be able to say you've got a fox; if that fox is of one gender and one gender alone and all the other foxes just so happen to be of that gender, it's saying well they're escapees but they're all male or they're all female and they're not pregnant females. The other option is to say every time they decide to mate and reproduce, produce a den, a natal den where the cubs are going to be fed, they are being picked off by an effective eradication tool; a natural tool being the devil. If that was the case, you would have a situation, as I think other people have given testimony, foxes are not long lived so they've got probably two to five years of breeding capacity in them, maybe around that - I am no expert but that's what I've read in other people's testimony. So, if, after a little time, they're not breeding then you don't get the recruitment and therefore you don't get the expansion. If devils are the critical thing that's been keeping them under control, all the more reason the money for devil facial tumour disease is probably, in my estimation, as critical if not more critical than the money for foxes. The Government is now saying with the cat legislation that there's 150,000 feral cats in Tasmania. Well, that is the number of devils that existed before this facial tumour disease came in. It's a substantial number of predators actively working on the biodiversity in Tasmania every day.

It's a conundrum and I don't envy you your job. I hope this document at least gives you some areas of understanding.

**CHAIR** - Yes, understanding of your proposals. Thank you very much for your interest. Thanks for coming and providing us with the document and answering the questions.

**Dr OBENDORF** - That's all right.

**THE WITNESS WITHDREW.**