

DELIVERED VIA ONLINE PORTAL

October 1, 2024

Ministry of Natural Resources and Forestry
300 Water Street
5th Floor, North Tower
Peterborough, ON K9J 3C7

Re: Comments regarding ERO No 019-8896 “Graduated financial penalties for failing to submit mandatory hunter reports”

Please accept this submission on behalf of Animal Justice in response to the Environmental Registry of Ontario notice titled “Graduated financial penalties for failing to submit mandatory hunter reports”, posted on August 15, 2024 (ERO Number 019-8896) (“**the Posting**”).

The proposed amendment would be a step backwards to ensuring compliance with mandatory hunting reporting requirements. The proposed amendment would likely decrease compliance and could have a negative effect on the protection of wildlife populations.

The *Hunting* Regulation, O.Reg. 665/98 (“**the Regulation**”) under the Act places various duties on those engaged in hunting activity. Among other things, it requires hunters to report certain information following the hunting season regarding activities conducted and animals killed under their particular license(s). Failing to report within the prescribed time attracts a \$25 penalty that must be paid before a hunting licence for the same species can be obtained. Generally, a second successive failure to report under a licence for a particular species results in a 12-month prohibition on obtaining a new hunting license for that species. The Posting outlines a proposal to replace this 12-month prohibition with a \$50 penalty.

The penalties provided for in the Regulation are intended to encourage compliance with reporting requirements, as the Posting itself indicates. Consistent and accurate reporting is essential for monitoring animal populations, developing conservation plans, setting bag limits and otherwise collecting data for conservation efforts. As a result, setting effective penalties is critical to conservation efforts and biodiversity in the province.

As noted in the Posting’s impact analysis, “it is difficult to achieve and maintain high compliance with mandatory hunter reporting requirements without meaningful penalties that can be applied efficiently.” In light of this purpose, we recommend that the Ministry maintain the current penalty following a second consecutive failure to report and explore strengthening such penalties to reach higher compliance rates.

A 12-month prohibition is a more meaningful penalty than a \$50 penalty. As the Ministry notes in its impact analysis, “[s]ome hunters may see the higher penalty fee as less impactful than being prevented from hunting a particular species for a year.” Animal Justice submits that a functional consequence (an outright prohibition) acts as a stronger deterrent than a nominal monetary fee would.

Additionally, the modest economic benefits of an increased fee identified by the impact analysis are far outweighed by the setbacks that may be caused to the Ministry’s conservation efforts. As

the impact analysis states, further reductions in the compliance rate would negatively affect data quality. Therefore, it would be contrary to the Ministry's objectives to proceed with the amendment proposed in the Posting.

Reducing this already-minimal penalty to a \$50 fee is unlikely to help to achieve the 95% compliance target set by the Ministry and could in fact have the opposite effect. In order to achieve the Ministry's target, Animal Justice recommends looking at other more impactful penalties. This could include a monetary fine in addition to the current prohibition or increasing the length of the prohibition for repeat offenders.