

GUIDELINES FOR TAKING SHARKS POSING A SERIOUS THREAT TO PUBLIC SAFETY – AS AMENDED JULY 2017¹

Background

These guidelines describe the circumstances in which consideration may be given to the setting of capture gear to take a shark.

The guidelines apply in State waters, (typically within three nautical miles of shore) where the relevant and appropriate exemption/s or other authorities have been issued for this purpose.

The guidelines:

- have been amended and updated to address continuing concern regarding public safety at beaches and surfing areas.
- are given effect by Fisheries and Marine Officers operating by exemption under the *Fish Resources Management Act 1994*; granted by the Minister for Fisheries, and following an order issued by the Deputy Director General, Fisheries of the Department of Primary Industries and Regional Development (Fisheries).
- are not definitive as it is recognised that every situation where they may be applied is likely to be different, and as such judgement will need to be exercised based on the available information.

Determining a serious threat to public safety involving a shark

The Deputy Director General, Fisheries may issue an order for the capture of a shark in exceptional circumstances including where a shark remains in a localized area and all attempts to relocate or remove the shark have been unsuccessful, and the presence of the shark remains a genuine threat.

The same shark being detected in the same location on more than one occasion would, of itself, not necessarily constitute exceptional circumstances when other measures are available to make an area safe. The remoteness or otherwise of an incident would also be a relevant consideration.

In exercising these powers the Deputy Director General, Fisheries must always place public safety as the first priority.

Additional measures, as listed below, will remain available to the Deputy Director General in the event of an incident involving a shark impacting on public safety-

- Deployment of a Fisheries vessel to the area
- Beach closures and ordering people from the water by the relevant land manager (e.g. local government, Parks and Wildlife Service Officers, or Surf Life Saving WA)
- Helicopter, if available, would conduct patrols to assist in beach closures and advise on shark sightings
- Possible beach patrols by Fisheries Officers or Rangers

¹ The guidelines have been amended to reflect Machinery of Government changes which took effect from 1 July 2017 and resulted in the Department of Fisheries being incorporated into a new Department of Primary Industries and Regional Development.

- Deployment of a drone, if available, to assist in making a final evaluation before a beach is re-opened
- Media alert issued with safety information and regular media updates
- Fisheries scientists to provide advice on possible species or size of shark responsible for attack, based on best available information
- Continued liaison with Water Police and other relevant authorities.

Feasibility and Capability

Where consideration is being given to an order to set capture gear under these guidelines, the feasibility and capability of fishing for the shark/s should be assessed. This assessment should have regard to whether:

- a suitable vessel with appropriately trained personnel, capture equipment, and bait can respond to the location;
- a response can be undertaken in a reasonable timeframe to provide an opportunity to capture the shark/s;
- the master of the vessel has deemed current and forecast marine conditions as safe working conditions for the deployment and retrieval of the capture gear (with or without a hooked shark); and
- the relevant authorities (such as local government, land manager or surf lifesaving clubs) have been requested to administer beach closures in waters within proximity of areas where capture gear is to be set.

Consultation

Where the Deputy Director General, Fisheries believes it may be appropriate to issue an order to take a shark/s, it is desirable that he/she advise the Minister for Fisheries, unless he/she considers the circumstances require immediate action. The final decision will remain with the Deputy Director General.

Rescinding an order

Ongoing assessments will be made on the continuation of the operation by Fisheries Operational Managers.

The order to take a shark or sharks is only expected to remain in place where a serious threat to public safety continues to exist.

An order may be rescinded if it considered the threat has passed. Information regarding the decision should then be conveyed to the public.

Dated

1/8/2017