



GUIDELINES FOR TAKING SHARKS POSING A SERIOUS THREAT TO PUBLIC SAFETY

Background

These guidelines describe the circumstances in which consideration is to be given to the setting of capture gear to take a shark posing a serious threat to public safety.

They only 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 updated to address continuing concerns regarding public safety at beaches and surfing areas;
- will assist decision makers, as defined by the exemption under the *Fish Resources Management Act 1994*; and
- are not definitive as it is recognised that every situation where they may be applied is likely to be different, and as such decision makers will need to exercise judgment based on the available information.

Determining a serious threat to public safety if a shark attack has taken place

Where a shark attack has been confirmed, an order to take a shark/s may be warranted. Consideration should be given to the ability to respond in a safe, timely and effective manner based on:

- the delay between the time of the attack and reporting of the attack; and
- where the attack has taken place.

An order to take a shark/s following a fatal attack may be warranted in an effort to recover coronial evidence.

Determining a serious threat to public safety in the absence of an attack

In the absence of an attack having taken place multiple confirmed sightings or detections of a High Hazard shark/s or sharks, in a location over a number of days, may still be considered to pose a serious threat in circumstances where there is considered to be a High Risk.

Confirmed Sightings

Sightings should be verified before an assessment is made of the level of threat to public safety.

Verification of a sighting should have regard to:

- the reliability of the person making the report (e.g. sightings from experienced commercial fishers, Surf Life Saving WA representatives and officers from the relevant government agencies have tended to be more reliable, albeit reports from the general public should not be excluded);

- the amount of detail the informant is able to provide on the shark; and
- whether the sighting is supported by photographic evidence or corroborated by other reported sightings.

High Hazard

A high hazard shark is any shark which is:

- estimated to be ≥ 300 cm total length; and
- considered to be a white, tiger or bull shark.

High Risk

Multiple confirmed sightings or detections of a high hazard shark/s which have occurred:

- within 1km of the coast; and
- within proximity of beaches or surfing areas that are being either regularly frequented by people, or in peak use periods. Note that a patrolled beach during patrol periods will always be considered a regular use location; and
- during daylight hours; and
- in conditions that are likely to be conducive to people using the water; and
- where actions taken to mitigate the risk, or ensure public safety, have been, or are likely to be, ineffective.

Any assessment of the circumstances should consider whether there is a plausible explanation for shark sightings or detections to be temporary. In some circumstances there may be prevailing conditions such as the presence of a whale carcass, or seasonal fish aggregations, which explain the presence of a shark/s.

Any consideration of the circumstances should be predicated on the expectation that people will exercise a reasonable level of responsibility for their own actions, including abiding by instructions from authorities to remain out of the water.

Mitigating High Risk

Where a shark or sharks are considered to be posing a serious and/or continuing threat to public safety, consideration should be given to options for negating the threat.

Reasonable efforts should be made to inform people (including relevant authorities) about the threat. Standard shark hazard response procedures should also be implemented, such as:

- closing adjacent beaches to the public;
- ordering people from the water;
- re-tasking the shark surveillance helicopter/s operated by Surf Life Saving WA;
- posting sighting or incident details on social media services; and
- using additional media to warn people of the threat.

Feasibility and Capability

Where a shark or sharks are considered to be posing a serious threat to public safety, 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 decision maker (DG DoF) believes it may be appropriate to issue an order to take a shark/s, it is desirable that he/she first consult with the Directors General of the Department of Parks and Wildlife (DPaW) and the Department of the Premier and Cabinet (DPC) unless he/she considers the threat so serious that action must be taken immediately.

Where possible, the Directors General of DPaW and DPC should be provided with a copy of the proposed decision sheet, to assist their consideration. In the event that either, or both, of the Directors General are unavailable, the decision maker is authorised to proceed.

Rescinding an order

The order to take a shark or sharks is only expected to remain in place while a serious threat remains. A decision to rescind the order should have regard to whether:

- there have been any further sightings of a shark/s in the vicinity;
- a reasonable period has elapsed to significantly diminish the likelihood of a shark/s being captured that poses a serious threat (guidance may be taken in this regard to the Surf Life Saving WA beach closure protocol mentioned above); and
- reasonable and adequate steps have been undertaken to inform people of the reported hazard.

A decision maker may rescind an order to take a shark/s if he/she is satisfied that the threat has passed. Information regarding the decision should then be conveyed to the public.