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13th July, 2004

The Honourable Ian MacDonald, MLA
Minister for Primary Industries
Level 30 Governor Macquarie Tower
1 Farrer Place
Sydney, NSW, 2000

Dear Minister,

I refer you to a number of web sites that contain information on the grey nurse shark debate that have been released by the National Conservation Council of NSW. These are:

<http://www.abc.net.au/7.30/content/2004/s1148116.htm>

being a transcript from the 7.30 Report on ABC on 6/7/2004

<http://www.abc.net.au/news/newsitems/200406/s1143309.htm>

being ABC News on-line of 30/6/2004 and was broadcast on all local ABC stations

http://www.nccnsw.org.au/water/news/media/20040629_spear.html

being a press release by the NCC following Fisheries announcement of possible charges being laid against a spearfisher for killing a grey nurse

<http://www.nccnsw.org.au/water/projects/upload/GNS%20Fact%20Sheet.pdf>

being a "fact sheet" released by the NCC of NSW on the grey nurse shark.

I have enclosed hardcopy printouts of these pages for your convenience.

The commonality of all of these is the facts presented by the NCC concerning the grey nurse are at odds with what NSW Fisheries presented at the stakeholders forum on the

grey nurse on 29th May 2004. This is despite the fact that a representative of the NCC was present at this forum, and is fully aware of the information that was presented. The first three of these links are interviews or releases that happened following this forum and have been made by the NCC representative that was present at the forum.

Just some of the facts that are either at odds, misrepresented or is selective with what was presented by Fisheries scientists include:

- The grey nurse shark population being about 300. The figure of 292 sharks is in fact the maximum number of sharks observed in a survey in the winter of 2000 and does not indicate the number of sharks in the grey nurse population. Fisheries estimated the number of sharks using the Petersen mark/recapture technique, and the number is between 416 and 466 sharks, with an upper limit 95 Confidence Level between 541 and 766.
- Recreational fishing being largely primarily responsible for cutting the numbers (of grey nurse sharks). It was stated at the forum that incidental mortality was the result of a number of factors, including commercial fishing (set lines, trawling, handlining), recreational fishing, shark nets, finning and mooring ropes around tails. It was also stated that since the imposition of the first restrictions no grey nurse deaths can be attributed to recreational fishing.
- Two thirds of the grey nurse population were actually hooked, and 90 percent of those hooks were from recreational fishing. The figure given by Fisheries scientists of hooked sharks in 2001 were 12% having hooks and this is a far cry from the 66% stated. It was also stated at the forum that there were 7 times more hooks having nylon trace than wire trace.
- The commentator on the 7.30 Report stated that “Its estimated that as few as 300 grey nurse remain in pockets up and down the eastern seaboard”. The information presented at the forum was that the sharks migrate in about May/June, spend between 1-6 weeks at what is known as aggregation sites, and site hop. They do not live in pockets along the coast.
- The grey nurse cold face quasi extinction in as little as 6 years. This is just one scenario used in the population modeling using a deterministic robust model. Six scenarios were used, being: populations of 300, 1000 and 3000 for mortality rates of 1 per month and also at 2 per month (of which 75% were female), with the following results:

Pop	300	1000	3000
1/month	13-16 years	84-95 years	289-324 years
2/month	6-8 years	45-53 years	173-200 years

Our questions are these:

- Does NSW Fisheries scientists stand by the data they presented at the GNS Forum on 29th May 2004, or are they in agreeance with the scientific facts presented by the National Conservation Council?

- If they stand by the data presented at the forum, then is the actual data to be made publicly available, say on the web? Will their data be presented accurately in the up-coming discussion paper? Will a press release be made repudiating, correcting or qualifying some of the statements made by the National Conservation Council?
- On the other hand, if Fisheries are in fact in support of the statements made by the National Conservation Council, what of the data presented that was presented at the forum?

Our concerns are that the information and data presented at the forum is not getting out there to either the general public or other stakeholders, including fishing groups, eco-dive operators, commercial fishers and charter fishers. The purpose of the stakeholders forum was to present the scientific data obtained to date by Fisheries scientists so all stakeholders will have a knowledge of the current state of play of the distribution, population and behaviour of the grey nurse, of what may be required in management plans for their protection. If the charter operator and commercial fisher interviewed on the 7.30 Report had a knowledge of Fisheries data then the “sound scientific data” presented by the National Conservation Council representative could have been questioned and inconsistencies pointed out. The use of old data or the selective use of data to push a particular agenda does nothing but antagonize other stakeholders and raise suspicion as to Fisheries reasons for not having the data more readily available and distributed.

Secondly, as there are concerns as to the validity of some of these statements from the National Conservation Council, particularly as they had a representative at the stakeholders forum, some recreational anglers are beginning to question the presence of a National Conservation Council representative on the various recreational fishing committees, such as ACoRF and the Trust Fund expenditure committees. Surely someone from another organization such as the MC&CN would be more credible, and a more suitable appointment on these committees.

Finally, when the discussion paper for the second review is finally released, we hope it presents this data in such a way that it cannot be misinterpreted nor misrepresented.

Yours sincerely

Phillip Ingram
President
Anglers Action Group (Sydney Northside) Inc.

