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A seven-metre basking shark wrapped up and washed up on North Beach, Christchurch in 1990. Basking sharks are regular victims of set nets.

ecosystems are being stripped of life and several species of fish are likely to be threatened.

What is needed is a change in attitude towards marine life. Under current law only turtles, black coral, red coral, toheroas and one species of fish – the black spotted groper – have been given total or near-total protection under the Fisheries Act within New Zealand waters. Marine mammals, on the other hand, are protected under the Marine Mammals Protection Act, and seabirds, out to 12 nautical miles [22 km], under the Wildlife Act.

Under 1991 Fisheries Regulations, it is already illegal to commercially target any fish, including basking sharks, not subject to a quota. However, plenty of

non-target fish still get caught. It is virtually impossible to police this law because no-one can prove that a non-target species was being targeted. Most species caught as by-catch are allowed to be sold commercially, so often there is financial incentive to fish non-target species.

WHY SHOULD basking sharks be given protection? Firstly, very little is known about their biology. It can be safely assumed that they have a very slow reproductive rate and, because of this, it is likely that they have already been overfished by direct hunting and incidental catches. In New Zealand there is evidence of local depletion – numbers at Kaikoura, for example, appear to have declined in the last 20 years. Large and visible schools of basking sharks belie the probable small size of populations worldwide. This species may be threatened, but the long-term effects of fishing on populations are unknown.

Secondly, basking sharks are a potential tourist drawcard. While they may not have as much appeal to the public as whales and dolphins, they are spectacular creatures because of their size. In Scotland tour companies advertise basking sharks as an attraction around the Hebrides and the Isle of Mull. In future, if protection leads to an increase in basking shark numbers, tourist trips could be organised in New Zealand. The Kaikoura whale watching ventures would almost certainly benefit from increased numbers of these marine giants.

Finally there is the moral issue. Worldwide there is a growing awareness that basking sharks are creatures to be cher-

ished. In New Zealand they are perhaps our most impressive fish. Should they be treated like spotties and anchovies or do they deserve protection similar to that we give native birds and marine mammals?

Certainly there is some government support for the idea of extending more protection to fish. In 1991 the Department of Conservation, in a submission to the fisheries legislation review, singled out basking sharks and manta rays as species that it should be illegal to kill, injure, capture or otherwise harass.

Overseas, campaigns for protection are mounting. The Marine Conservation Society of the United Kingdom has been running a campaign to promote conservation of the basking shark for the last five years. Last year the Joint Nature Conservancy Committee in the UK recommended that the species be given full protection, although this is being opposed by some government agencies.

In other countries threatened shark species are already gaining legal protection. In Australia the grey nurse and smalltooth sand tiger shark are now totally protected off the New South Wales and Queensland coasts. The killing of great whites is now banned in South Africa, as is the trade in their jaws and other souvenirs. The killing of great white, tiger, hammerhead and lemon sharks is also to be banned in United States waters.

Recent changes in legislation regarding shark finning should reduce the commercial incentive to catch basking sharks. "Finning" is the practice of removing shark fins and discarding the rest of the carcass at sea. It is to be banned in the United States and a code of practice has been introduced in Australia to curtail the custom there.

In New Zealand, what have we got to lose by protecting basking sharks? A few commercial fishers would lose revenue from selling the fins or liver of the occasional one that gets caught in their trawl net or tangled in their gill net. No-one would lose their livelihood.

Giving basking sharks absolute protection would assist international conservation efforts to preserve and enhance the populations of this giant and mysterious fish.

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What should be done?

- Basking sharks deserve full protection under the law, so that the capture, harassment and selling of any parts of this species is illegal, and all captures are reported. New Zealand should be pushing for an international treaty protecting this species.
- Shark "finning" should be banned.
- Gill netting should be phased out. This fishing method is indiscriminate and wasteful and catches many basking sharks.
- Attitudes to sharks need to change – very few sharks attack people. Officials sent out to shoot sharks for the safety of swimmers should be educated about the different types of sharks.