

Hon Aaron Stonehouse MLC
Chair - Select Committee on Personal Choice and Community Safety
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Stonehouse

Select Committee on Personal Safety - Additional questions for Recfishwest

On 11 September 2018 Recfishwest received an invitation to provide a written submission to the Select Committee inquiry on Personal Choice and community Safety. Recfishwest made a submission to this inquiry on 5th October 2018 and on 27th Feb 2019 Recfishwest received correspondence from the Committee requesting a response to 6 follow up questions relating to mandatory life jackets.

Recfishwest can provide the following advice in relation to these follow up questions and is always happy to assist the government in ensuring the best outcomes for the Western Australian community. In responding to your questions (in italics) where I have made reference to additional information, I have included this material as attachments to this submission.

Question 1

Your submission refers to safety measures used for rock fishing, such as rock anchor points and 'Angel Rings' – can you please explain what these different measures are and how they can prevent injury or death while fishing?

Rock Anchor Points

A rock anchor point is an eye bolt which has been secured into a rock (figure 1). This bolt allows anglers to tether themselves using their own rope and harness. The basic idea behind a Rock Anchor Point is that fishers are less likely to be washed into the water if they are secured to a rock by a short piece of rope.

In 2003 The Department of Biodiversity, Conservation and Attractions, (DBCA) (then the Department of Environment and Conservation) commenced a trial of anchor points at selected rock fishing locations in the Leeuwin - Naturalise National Park.



Figure 1: Anchor point using an eye bolt and appropriate tie-off method.

The selection of locations for this trial was determined through consultation between local fishermen and DEC staff. The need for anchor points at was determined based on the following criteria:

- History of drowning and wash off incidents
- Popularity of locations where people fished from the rocks
- Wave action and its potential impact on fishers
- Physical features of the site e.g. slope, black algae
- The type of visitors fishing e.g. inexperienced fishers; and,
- Accessibility of the rock; e.g. road access, walking trials to rock platforms etc.

The towns of Albany and Esperance both have rock anchor points installed at high risk locations. These locations have been identified by local fisherman, local governments and DBCA. As of March 2019, the Esperance and Ravensthorpe area has 46 Rock Anchor Points installed and the Albany area has six anchor points installed at Salmon Holes.

In addition to the rock anchor points installed in Albany and the Esperance region and the Rock anchor points installed along the capes by DBCA there are numerous anecdotal reports of fishermen installing their own rock anchor points at their favourite fishing locations.

Angel Rings

Angel Rings (See figure 2) are known by many names (lifebuoy, ring buoy, life ring, lifesaver, life donut and life preserver to name a few).

Angel Rings are a lifesaving buoy designed to be thrown to a person in the water, to provide buoyancy while a rescue is undertaken.

Since 2013 Recfishwest have installed 66 Angel Rings throughout Western Australia as part of our Rock Fishing Safety Strategy. The distribution of Angel Rings as part of this safety strategy stretches from Quobba near Carnarvon to Esperance on the South Coast of Western Australia. A map detailing the location of these rings has been included as an attachment to this document (Attachment 1).



Figure 2: A typical example of an Angel Ring

Question 2

Your submission refers to people wearing ‘the right jacket for the right circumstance’ and describes some consequences that may occur if a fisher wears the inappropriate type of jacket for their fishing activity – can you explain the difference between life jackets that are suited to rock fishing and those that may be used for kayaking or fishing on open water?

In order to adequately answer this question, it is necessary to provide some general back ground information on life jackets as they relate to current Australian Standard 4578 (Lifejackets General requirements), 1499 (Personal flotation device) and 1499 (Personal Floatation Device Type 3).

There are many different types of life jackets on the market and each of these jackets have their pros and cons depending on the situation. Life Jackets manufactured to Australian Standards can be categorised as Type 1, 2 or 3 (Attachment 2).

Type 1 jackets provide a high level of buoyancy (Level 100 or higher) and are designed for use in unprotected waters. These jackets are designed to keep the wearer face up, floating and highly visible. These jackets are fitted with head and neck support and are suitable for offshore and general boating in all waters.

Type 2 jackets have a lower level of buoyancy (level 50) than type 1 jackets and are not approved for general use in unprotected waters. These jackets are not fitted with head and neck support and are not designed to keep the wearer in face up floating position. Type 2 jackets are manufactured using high-visibility colours and are normally used for sailing, kayaking, canoeing, wind surfing and on personal water craft.

Type 3 jackets have similar buoyancy to the type 2 life jackets and are not approved for general use in unprotected waters. Type 3 jackets are not fitted with head and neck support, not designed to keep the wearer in a face up floating position and are not manufactured using high-visibility colours. Type 3 jackets are favoured by water skiers, wakeboarders, kayakers and canoeists where comfort and style are important. Type 3 jackets are also available as a built-in garment (e.g. water skiing wet suit).

While all life jackets are able to be categorised as either type 1,2 or 3 it is worth noting there is a great variety of personal floatation devices within each of these categories (Figure 3). Type 1 life jackets can be constructed from a block of foam or inflated via a canister of compressed CO². For jackets inflated via a gas canister they can be manually inflated or automatically inflate once the jacket is submerged in 10cm of water. These jackets are usually worn around the neck however they can also be worn as a belt.

Lifejackets are not a one size fits all solution and the wide variety of jackets available allows for a wide variety of fishing and boating activities. A rock fisher requires a jacket that allows them to cast from the rocks with little obstruction while a kayaker is likely to prefer a life jacket that rides higher on the torso allowing for the paddling movement required when kayaking.

Someone who is fishing alone or not a confident swimmer may be better suited to wearing an automatically inflating life jacket while a confident swimmer may choose the manual inflation allowing themselves the opportunity to swim back to the boat if they fall in. A rock fisher may want to have the opportunity to swim away from the rock in the event they are washed into the water to prevent being repeatedly washed up against the rocks and so may prefer a manual inflating lifejacket while others may fear banging their head against the rock and may want an automatically inflating jacket.



Figure 3: Variety of Type 1 Personal floatation devices

To determine the appropriate lifejacket/s specific to the fishing activity being undertaken a fisher should consider;

- Their own swimming capability
- The type of activity being undertaken
- If activities are being undertaking alone or with others
- Size and age of person
- Risk of the vessel capsizing or risk of falling from the vessel
- Weather conditions (including tide, swell, wind, water temperature, wave period ect)
- Location of activities
- Rock condition (Smooth, jagged, covered in barnacles, covered in algae ect)
- What other safety gear they are using
- Restriction of movement with jacket on
- Servicing requirements
- Legal requirements

Question 3

Do you feel that the requirement and the cost of purchasing a life jacket may deter people from participating in water activities?

Recfishwest recently conducted a survey of 58 people who had purchased a life jacket from our online Fish and survive store which offers jackets at the lowest comparable price. Our survey found the top 3 reasons why people purchase a lifejacket from us is because they trust the recommendations we make, the suitability for the fishing activity and because they felt purchasing a lifejacket through us would help contribute to what we do. For the people who undertook our survey price was of least concern.

While price was not a determine factor in our survey, I have no doubt that for some people cost is a large factor in the decision of whether to purchase a life jacket and if so which jacket they choose to purchase. With the new style of Type 1 slimline manual and automatic inflation life jackets currently retailing for around \$90+ and \$130+ respectively the cost to provide these jackets for an entire family can quickly become substantial. While Recfishwest believe these jackets represent a good value investment we understand cost is likely to be a factor in the decision to purchase a life jacket and that the sample group who responded to our survey was not large or necessarily truly representative of the 'average' recreational fisher.

Question 4

Can you please comment on the cost and/or tax implications of new models of self-inflatable life jackets (such as the 'Stormy Seas' brand) – do you believe that more people would wear this type of life jacket if they were more affordable?

Recfishwest recognise there is a cost associated with participating in any given recreational activity and fishing is no exception. A recently completed study into the economic dimensions of recreational fishing in Western Australia showed local fishers in WA had a \$2.4 billion direct economic impact on the Western Australian economy with the average boat based and shore-based fishers spending \$13,559 and \$2,253 on fishing related expenditure every year.

The government currently spends \$18million on managing recreational fishing in Western Australia with half of this cost coming directly from recreational fishing licence fees. The estimated GST return to Western Australia as a result of recreational fishing related expenditure is estimated at \$168 million per annum [$\$2.4 \text{ billion} \times \text{GST (10\%)} \times 0.7 \text{ (70c in the dollar)}$].

The economic stimulus provided from recreational fishing and the GST return to the state from recreational fishing related expenditure should be protected through good policy that encourages participation and maintains high quality fishing experiences.

Good governance would suggest any mandating the wearing of lifejackets would consider the impact this decision is likely to have on participation rates and fisher satisfaction. Basic economic theory would suggest more people would wear the new slimline life jacket brands such as 'Stormy Seas' or 'CrewSaver' if they were more affordable and less people may participate in fishing if the costs associated with fishing increased.

Question 5

What is your view on the Department of Transport discussion paper that suggests that life jackets be mandatory for all water activity?

Recfishwest **do not** support a blanket approach to mandating the wearing of life jackets on a boat. We encourage and promote safe fishing experiences for all and we equip fishers with safety knowledge so they can make their own decision to fish or not to fish (as we do for rock fishing), and we believe this approach needs to be applied to vessel safety.

Recfishwest support increased education campaigns towards vessel owners, of the risks associated with their safety and acknowledge the importance of people having good knowledge from which to make their own informed decisions in specific situations.

Fishing in WA offers a large variety of boat and kayak fishing opportunities and simply having one strict rule covering all those situations is not something we support, nor do we believe it is the best approach to take to achieve positive and lasting safety outcomes.

Where there's evidence and statistics to support the wearing of life jackets in high-risk situations such as boat fishing at night or by yourself we would consider supporting a mandatory approach however in the absence of this information we continue to believe safety comes down to the individual and personal responsibility is the key factor in ensuring positive safety outcomes.

We believe educating boat fishers on the advancement of life jacket technology is important. Educating the boating public and empowering them to make their own choices is a better approach than legislating the wearing of life jackets. Recfishwest works hard to promote safety and we want to see all fishers return home safe at the end of a day's fishing. I have attached Recfishwest position on the mandatory wearing of lifejackets while fishing from Rocks which demonstrates our philosophy towards safety (Attachment 3).

Question 6

What is your view on mandatory life jackets on vessels in enclosed waters?

As for Question 4 Recfishwest believe individual fishers are primarily responsible for ensuring their own safety and that education rather than legislation is the best approach to ensuring the best and longest lasting positive safety outcomes for all fishers. Should you require any further information in this regard, please do not hesitate to contact me on 9246 3366.

Yours sincerely



Leyland Campbell
Acting Chief Executive Officer

20 March 2019

Attachment 1: Angel ring locations in Western Australia

Free Loan Lifejacket Scheme

23 tackle store locations
offering 170 loan lifejackets.

Albany

Albany Rods and Tackle
Trailblazers Albany
BCF Albany
Little Grove General Store
Albany Migrant Resource Centre

Bremer Bay

Bremer Bay Rural & Hardware

Duke of Orleans (Esperance)

Duke of Orleans Caravan Park

Esperance

Tateys Bait and Tackle
Southern Sports and Tackle
Esperance Diving and Fishing
Dempster Sporting and Tackle

Hopetoun

Hopetoun Iceworks

Kalbarri

Kalbarri Sports and Dive

Katanning

Katanning Migrant
Resource Centre

Mount Barker

United Petroleum

South West

Augusta X-treme Outdoor Sports
Down South Camping & Outdoors
Dunsborough Outdoor Sportz

Steep Point

Steep Point Rangers Station

Quobba/Carnarvon

Quobba Station
Carnarvon Tackle & Marine
Tel-O-Mac Tackle

Angel Rings Installed at High-Risk Locations

Installation of 66 Angel Rings (life buoys)
at high-risk rock fishing locations.

Albany

Salmon Holes
The Deeps
Lowlands
Tourist Rock
Three Stripes
Maitraya
Cable Beach
Blow Holes
The Steps
Dunksy's

Denmark

Ocean Beach
McGearys Rock
Black Hole
Sinker Bay
Boat Harbour

Dirk Hartog Island

Quion Head
Urchin Point
West Point

Esperance

Twilight Beach
Wharton Beach
Quagi Beach
Starvation Bay
Thistle Cove
Hellfire Bay
Thomas River
Dolphin Cove
Skippy Rocks
Dunns Rocks

Kalbarri

Red Bluff
Pot Alley
Gulch

South West

Sugarloaf Rock
Torpedo Rocks
Canal Rocks
Wyadup
Merchant Rock
Slopeys
Round Rock
The Point
Boranup North Point
Skippy Rock
Gracetown North Point
Redgate Beach
Conto Springs
Knobby Head
Round Rock
Cosy Corner
Cape Leeuwin
Water Wheel
Cape Leeuwin
Lighthouse

Steep Point

False Entrance
Thunder Bay
Blow Holes
The Oven
The Fault Line

Quobba

Blowholes
Old Boundary
Loopy's
High Rock
2 Mile
Whistling Rock
The Ledge
Camp Rock
The Caves





Safety Equipment Lifejackets Marine Safety



Buying a lifejacket

Before you buy, try the lifejacket on in the shop.

Choose the appropriate weight and size range.

It should be snug without confining or riding up.

Ensure you can put it on quickly, with minimal instruction.

Choose one that is made in bright colours and reflective tape which will assist rescuers to find you at night.

Size and fit

For infants, because of the varying weight distribution of babies it is difficult to put flotation in the right places. Children less than about a year old cannot be adequately catered for and should not be taken boating.

For older children and adults, there are three main things to look for:

- the weight range on the lifejacket's label agrees with the person's weight;
- the lifejacket is a snug fit (loose lifejackets work poorly); and
- it is comfortable to wear.

Maintaining lifejackets

Skippers should check the condition of their lifejackets annually or as recommended by the manufacturer.

- Check for cuts and tears that could let water enter the lifejacket and rot the buoyant material.
- Check the straps are in good condition and not frayed.
- Rinse with fresh water if it gets wet during use, dry prior to storage.

Inflatable lifejackets

Inflatable lifejackets are becoming increasingly popular. These CO₂ inflated garments are lighter and less cumbersome than conventional foam lifejackets and are quite versatile – they're even made as wet weather jackets and windproof vests.

Care should be taken when purchasing an inflatable jacket to ensure that it conforms with Australian Standards: AS 4758 – Level 100 (or higher), AS 1512 or ISO 12402. This will be clearly marked on the lifejacket.

You should be aware of the added maintenance requirements that come with this style of jacket and carry out self checks regularly (see opposite). Crew and passengers should be briefed on their operation.

Inflatable lifejacket maintenance

It is important that inflatable lifejackets are serviced regularly. You should follow the manufacturer's instructions or, if the manufacturer doesn't specify, you should have your lifejacket serviced at least every 12 months. This will ensure it is in good working order.



Self check your inflatable lifejackets

Inflatable lifejackets are certainly very convenient but remember to be diligent with your checks and undertake regular servicing. Self checking a lifejacket can be done at any time to ensure the jacket is functioning properly.

STEP 1

Check for visible signs of wear and damage. Ensure all fastenings and buckles are in good working order.



STEP 2

Following the manufacturer's instructions, reveal the inflation system and oral inflation tube. Inflate the bladder using the oral tube and leave overnight in a room with a constant temperature. If the bladder loses pressure, immediately take the jacket to an accredited service agent for further tests. Do not attempt to repair the jacket yourself.



STEP 3

Use the cap attached to the oral inflation tube to deflate the bladder. Invert the cap and press down on the valve at the top of the oral tube. Do not insert other objects into top of tube as they may damage the valve. Roll or press jacket to deflate fully.



STEP 4

Remove CO₂ cylinder and inspect. The cylinder should be intact with no rust or corrosion. Weigh cylinder on kitchen or letter scales, ensure weight corresponds to the minimum gross weight engraved on cylinder +/- 2g. If the cylinder is rusted, corroded, has been pierced or is not the correct weight it should be replaced immediately. On auto inflation jackets also ensure the auto components are armed and in date. Refit the cylinder to inflation system, tightening it by hand until firm. Do not over tighten.



STEP 5

Repack jacket as per manufacturer's instructions. Ensure manual inflation toggle is accessible and unlikely to be caught when being worn.



The rules

A lifejacket must be carried for each person (over the age of 12 months) on board a recreational vessel when operating in unprotected waters.

Unprotected waters are WA’s navigable waters that are not contained:

- in a lake;
- in a river;
- in an estuary; or
- by any breakwater.

Note: This does not include the waters of Cambridge Gulf or Lake Argyle.

Lifejackets for use in unprotected waters

Lifejackets approved for general use in unprotected waters bear the standard or stamp:

- AS 4758 – Level 100 (or higher);
- ISO 12402;
- AS 1512; or
- SOLAS.

Lifejackets manufactured to Australian Standard 4758 incorporate advances in design and manufacturing.

Each lifejacket must suit the weight of the person, be maintained in a good condition and easily accessible.

It is important that each person has an approved lifejacket suitable for the activity they are involved in. Whether you’re a boater, paddler, fisherman or sailor, there’s a modern lifejacket style to suit you’re specific need. See the **Types of lifejackets** table opposite.

If unsure, contact the Marine Safety Hotline: **13 11 56**.

When to wear a lifejacket

You will enhance your safety if you wear a lifejacket at all times, or at least:

- at the first sign of bad weather;
- between sunset and sunrise or during restricted visibility;
- when operating in unfamiliar waters;
- when operating with a following sea;
- when boating alone (this is especially recommended);
- at all times on children under 10 years;
- if you are a poor swimmer; or
- on medication that may affect your balance.



Types of lifejackets					
	Lifejacket	Level	PFD	Standard	Comments
APPROVED for use in unprotected waters		 275 150 100	Type 1	<ul style="list-style-type: none">• AS 4758<ul style="list-style-type: none">— Level 275— Level 150— Level 100or• ISO 12402or• AS 1512	<p>Level 100 and higher lifejackets provide a high level of buoyancy and are:</p> <ul style="list-style-type: none">• Approved for use in unprotected waters.• Fitted with head and neck support.• Designed to keep you in a face up floating position.• Manufactured using high-visibility colours.• Suitable for offshore and general boating in all waters.
		 50	Type 2	<ul style="list-style-type: none">• AS 4758<ul style="list-style-type: none">— Level 50or• ISO 12402or• AS 1499	<p>Level 50 lifejackets have a lower level of buoyancy than the Level 100 and higher lifejackets and are:</p> <ul style="list-style-type: none">• Not approved for general use in unprotected waters.• Not fitted with head and neck support.• Not designed to keep you in a face up floating position.• Manufactured using high-visibility colours.• Normally used for sailing, kayaking, canoeing, wind surfing and on personal water craft.
NOT APPROVED for general use in unprotected waters*		 50S	Type 3	<ul style="list-style-type: none">• AS 4758<ul style="list-style-type: none">— Level 50Sor• ISO 12402or• AS 2260	<p>Level 50S lifejackets have similar buoyancy to the Level 50 lifejackets and are:</p> <ul style="list-style-type: none">• Not approved for general use in unprotected waters.• Not fitted with head and neck support.• Not designed to keep you in a face up floating position.• Not manufactured using high-visibility colours.• Favoured by waterskiers, wakeboarders, kayakers and canoeists where comfort and style are important.• Available as a built in garment (eg water skiing wet suit).

* ‘general use in unprotected waters’ includes all vessels except for: PWCs operating within 400m of the shore, paddlecraft, sailboards and kitesurfers.

Contact details

Department of Transport
Email: marine.safety@transport.wa.gov.au
Website: www.transport.wa.gov.au/imate
Marine Safety Hotline: 13 11 56

For further information go to www.transport.wa.gov.au/lifejackets or scan the QR code.



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- Position Statement -

Mandatory Wearing of Lifejackets Whilst Fishing From Rocks

Recfishwest currently does not support legislation mandating the wearing of lifejackets while fishing from rocks. We will consider the compulsory wearing of lifejackets under certain circumstances and certain locations, however we do not believe a state-wide blanket approach is appropriate. We believe education offers greater long-term positive safety outcomes than legislation.

Recfishwest would rather people understand why they need to wear a jacket and choose to wear one vs having to wear one because they are scared of getting a fine!

Background

We believe everyone should return home safe after a day's fishing – whether it be in a boat, in a kayak or from rocks. Recfishwest believes everyone should wear lifejackets when appropriate and look after their own personal safety when fishing from rocks.

Recfishwest are champions of fishing safety having a strong track record of activities aimed at keeping fishers safe. We believe everyone should return home safe after a day's fishing. Recfishwest strongly advocate that those who fish from exposed rocky shorelines should wear appropriate lifejackets, nevertheless we believe the choice to wear a lifejacket when fishing from the rocks should remain that of individual fishers. In the past 16 years (2002 – 2018) on average less than 2 lives/ each year have been lost across WA's 12,000km of coastline due to fishing from rocks. We believe the acceptable number should be '0' lives lost and we will continue be proactive in the promotion of lifejackets for everyone!

WA has extensive and highly diverse coastal locations and a large range of conditions where fishing occurs. We believe well informed fishers are in the best position to make decisions about their own personal safety.

A blanket state-wide approach enforcing mandatory wearing of lifejackets upon those who choose to fish from rocks is inappropriate and implementation of any mandatory program would be complex and problematic.

In jurisdictions where the use of lifejackets when fishing from rocks has been mandated (New South Wales), perverse outcomes placing fishers at greater risk has resulted. Educating the fishing public about the advancements of new slimline lifejackets and empowering them to make informed decisions offers greater long-term positive safety outcomes than legislation.

Attachment 3: Recfishwest's position on Mandatory wearing of Life Jackets while fishing from Rocks.

Recfishwest along with our partners work hard to educate fishers through the provision of quality safety information aimed at changing behaviour. This information allows people to make better decisions.

Education is supported with improved access to fishing safety equipment such as Angel Rings (Life Rings), Rock Anchor Points (Rock Bolts) and free-loan slimline lifejackets at high risk locations.

Recfishwest believes fishers must ultimately take responsibility for their own personal safety.

Recfishwest will continue to promote safe fishing practises and provide the community with the right tools and information to make an informed decision so they can return home safe.

Here are some examples of the work we do to help ensure West Aussies return home safe after a days fishing:

- Oversee WA's state-wide Angel Ring program – with 66 Angel Rings being installed by land managers
- Oversee the State-wide Free Life Jacket Loan Scheme – provision of over 160 Free lifejackets for loan across 21 locations
- Development and printing of 40,000 rock fishing flyers – interpreted into 11 languages
- The Recfishwest Fish and Survive Website – providing fishing safety information to WA fishers
- Partnership with WA's Department of Transport state-wide 'Old for New' lifejacket program
- Partnering with Fisheries and Surf Life Saving WA around Abalone Fishing Safety
- Presenting safety messaging at our 50 yearly state-wide family fishing clinics (reaching 2,000+ families each year)
- Funding and promotion of the 'Bluewater Freedivers Safety Float'
- Funding and support for shallow water blackout training for freedivers
- Specific lifejacket focus at the Perth International Boat Show and other shows (Perth Caravan and Camping Show, Mandurah Boat Show etc.)
- Lifejacket presentations and information nights at state-wide fishing and sailing clubs
- Development of lifejacket safety videos
- Targeted campaigns with stakeholder and government agencies
- Active member on the WA Department of Transport's External Reference Group for the review of 'Safety Equipment on Recreational Safety Vessels'
- Promote fishing safety to the WA fishing public through:
- Australia's largest digital fishing publication (the Recfishwest 'Broad Cast') with over 73,000 recipients monthly
- WA's largest weekly state-wide Recfishwest Fishing Reports with over 9,000 recipients (from Kununurra to Esperance)
- WA's only Fishing Rules App (with over 3.8million screen views/ past 12 months)
- Regular radio and media citing the importance of taking personal safety measures.