

**WWF-New Zealand**

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To: Hon Nathan Guy, Minister for Primary Industries
Cc: Martyn Dunne, Director-General, Ministry for Primary Industries

20 May 2016

Dear Minister,

Re: Independent Review into Operation Achilles

I am writing on behalf of WWF-New Zealand to request that you ensure the Terms of Reference for the review Martyn Dunne announced yesterday encompasses the unreported death of a Hector's dolphin in a set net, the broader issue of non-reporting of Hector and Māui dolphin deaths in fishing nets and the broader issue of dumping beyond the decision whether or not to prosecute the cases highlighted in Operation Achilles.

Mr Dunne's announcement yesterday (19th May 2016) stated the following: "I have today initiated an independent review into circumstances surrounding Operation Achilles, including the decision not to prosecute individuals associated with the potentially illegal discarding."

WWF-New Zealand appreciates that the Terms of Reference for the review are still being finalised, so we would like to take the opportunity to express our concern that these TOR could be too narrowly defined.

The dumping exposed in the report is extremely serious, as is the Ministry for Primary Industries' decision not to prosecute in these circumstances, and needs to be reviewed. But what this may reveal about the broader issue of fish dumping across New Zealand's fisheries also needs reviewing.

Equally serious is the non-reporting of a Hector's dolphin death in a set net (see paragraphs 4.3 – 4.8 of the Operation Achilles report). WWF-New Zealand can find no reference to this death in the government's official Hector and Māui dolphin mortality statistics. We have reviewed the mortality data and can find only one reference to a set net death in the Timaru region in the November 2012 – April 2013 period. This suggests that, even though MPI knew a second Hector's dolphin had died in a set net at this time, it was not reported to the Department of Conservation and therefore did not appear in the official statistics.

This case raises important questions, not only about MPI's own procedures but about the wider prevalence of non-reporting of dolphin deaths in fishing nets. WWF-New Zealand requests that these issues be included in the review's Terms of Reference.

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WWF-New Zealand is part of the international conservation organisation World Wide Fund for Nature (WWF).

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More broadly, we do not find it credible that the Operation Achilles report could still be an 'internal draft investigation', as you claimed on 18th May, nearly three years after it was written (the report is dated 26 July 2013). We would therefore also appreciate an explanation as to why this investigation was still an 'internal draft' and what the intended process and timeline was for finalising it, releasing its findings and acting upon it.

Yours sincerely,

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