

## Fisheries Officers Vocational Branch update: Batons & handcuffs work bans

Members would be aware of the current work bans placed upon the use of batons and handcuffs when operating outside of NSW jurisdictions or whilst undertaking duties under the relevant Biosecurity Acts. The substance of the work bans was:

*“the PSA directs members not to engage in any compliance and enforcement activity where the carriage and use of their baton and handcuffs has not been clearly established as lawful by fisheries compliance management, for example, duties associated with, but not limited to, extra-territorial patrols and NSW Biosecurity or Commonwealth Marine Reserve legislation.”*

This work ban was instituted by the Fisheries Officers Vocational Branch (FOVB), which had genuine concerns regarding the lawfulness of the use of these defensive instruments. The Department of Primary Industries (DPI) Fisheries was not in a position to provide those levels of certainty to its staff, placing them in an untenable position. Members would be aware this work ban was partially lifted by the PSA and FOVB when information was provided on the lawfulness of baton and handcuffs when operating in Commonwealth Marine Reserves back in September 2020.

After several years, numerous discussions and some false starts, DPI Fisheries has provided the PSA and FOVB with a consolidated Work Instruction that identifies the lawfulness of batons and handcuffs in each and every State and Federal jurisdictions and under those corresponding biosecurity related Acts. The PSA and FOVB would like to acknowledge the considerable resource intensive exercise undertaken by DPI Fisheries to enable such a consolidated understanding. You can view this Work Instruction [HERE](#).

Members of the FOVB Executive and PSA have reviewed the document and discussed it with DPI Fisheries at length. In line with DPI Fisheries advice, the only work that Fisheries Officers can perform in the Jervis Bay territory is Commonwealth Fisheries work. Fisheries officers should not patrol in locations where they cannot possess or use batons and handcuffs without prior approval from their relevant SFO or Program Leader. The PSA maintains batons and handcuffs are a vital WHS tool that should be on your person when on patrol.

The PSA and FOVB are confident with the substance of the Work Instruction, in that it provides a definitive understanding of the lawfulness in each jurisdiction and provides Fisheries Officers with the confidence on the administration of prohibited weapons in those scenarios.

Fisheries Officers should make themselves familiar with the substance of the Work Instruction for legal compliance.

Accordingly, the PSA and FOVB Executive seeks endorsement from the FOVB membership to rescind the work bans. As part of the democratic processes that exist within your union, the PSA asks that you click on the following link and vote: [www.surveymonkey.com/r/workbans](http://www.surveymonkey.com/r/workbans).

