

**ACTIVITY:** Body boarding

**CASE:** GSAF 2012.04.19.a

**DATE:** Thursday April 19, 2012

**LOCATION:** The attack took place in False Bay at Dappat se Gat, a surf spot between Gordon's Bay and Kogel Bay also known as "Caves" in the Western Cape Province, South Africa.

**NAME:** David Lilienfeld

**DESCRIPTION:** He was a 20-year-old male from Camps Bay. He was SA junior champ in 2009, and was selected for last year's SA national bodyboarding team, representing SA at the World Games in the Canary Islands in November 2011.

#### **BACKGROUND**

**MOON PHASE:** Waning Crescent, 2% of the Moon was illuminated. New Moon, April 21, 2012.

**ENVIRONMENT:** the Environmental Affairs Department granted the crew of "Shark Men" a permit to shoot the documentary. Boyd recently granted a research permit to US-based documentary maker Chris Fischer to film white sharks in the Cape. At the time, it caused fears

their activity could attract sharks to populated beaches. Fischer had been in the country for the previous month capturing and filming sharks in their natural habitat for the National Geographic documentary "Shark Men". Eyewitness News reported that National Geographic has distanced itself from the project, saying it did not renew the series.

Dirk Schmidt, a wildlife photographer and author of "*White Sharks*", had called for a high shark alert to be issued, saying it was prudent. "Unusual white shark behaviour and an increased presence, and possible shark-human interaction or even attacks cannot be excluded," he said at the time. His concern was that up to five tons of chum (bait) would be used to attract sharks to the boat. He said the chum slick could be blown closer to beaches by on-shore winds.

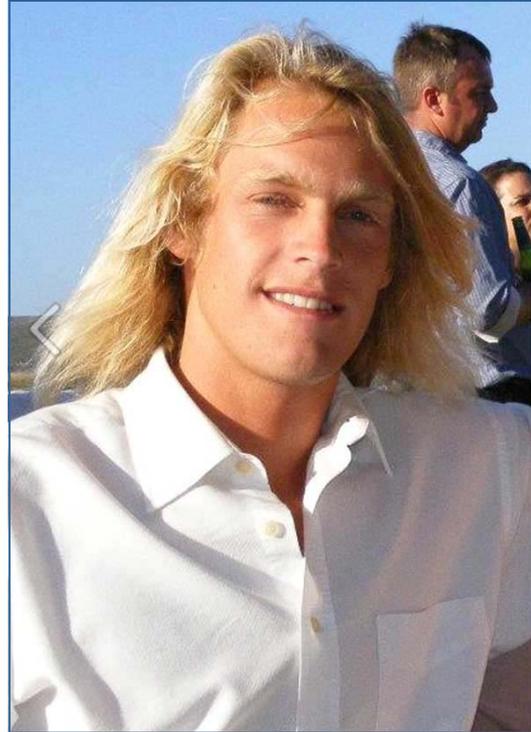
At the time Boyd issued the permit, he said the chumming would have little effect close to shore, especially as the large amount would be used over a 20-day period all along the southern coast. After the attack the department expressed shock and immediately cancelled the permits.

**TIME:** 12h30

**NARRATIVE:** David Lilienfeld was body boarding with his brother Gustav. David was lying on his body board waiting for a wave when a fin appeared according to Matt Marais, a witness.

ZigZag Surfing Magazine interviewed Marais after the attack:

"I was in the process of calling my wife to tell her I was going to be running a little late, when I saw a huge dorsal fin of a shark surface near to the two bodyboarders, and close



*David Lilienfeld*

in on them. My wife answered and I just told her to call the police, call the ambulance, there's a shark attack happening right now as we speak.

"The shark focussed on one of the bodyboarders, who tried to fight it off by pushing his bodyboard between himself and the shark, but the shark kept coming back, a second and I think a third time, before it got his leg. It was like someone pushed a button to turn the sea from a clear blue to dark red, that's how quickly he was losing blood from the wound.

"I think it took about eight minutes to get the young bodyboarder to shore, but you could already tell by that time that he'd lost a lot of blood, as the sea wasn't stained as red as it had been shortly after his leg was bitten off. I wasn't there on the beach where they got him to shore, but my father tells me he was already dead by the time he reached the shore."

Harry and Sam Jefferies also witnessed the attack and pulled David onto nearby rocks, but he was dead by the time paramedics were able to reach him by boat. The City of Cape Town closed the Kogel Bay beach, between Gordon's Bay and Rooi Els, after the body was recovered. "We have closed the beach because there are still white sharks present in the water," spokeswoman Kylie Hatton said.

**INJURY:** The man's right leg was severed at the hip; there were not other bite marks or lacerations on his body.

**SPECIES:** The shark, believed to be a white shark around four to five metres in length, remained in the shallow water. When paramedics arrived on the scene the shark was still there and the man's leg was floating in the water.

**NOTE:** Next day the city issued a report on the accident, exonerating the documentary filmmakers who had been chumming offshore. See pages 4 to 8 of this report.

**COMMENT:** "It is not a question of if the attack was "caused" by Fischer. Unless we go ask the sharks and they can answer, we will never know if there could be a link of previous chumming, the day's chumming, or the tagging, with the shark attack. It is very well likely that there is no link. The issue at hand is if Boyd had included the public and issued a "precautionary warning for possible increased shark activity", would Lilienfield have held off going in the water? Would they have increased spotters along the beach to give better warning? Would more people walking along the water been on the lookout and warned officials of previous sightings earlier? But instead, even after a number of us warned them about the consequences of an attack, Boyd publicly dismissed any "possibility" for increased shark activity and then caused such claims of a possible attack "alarmist". ...*Chris Fallows*



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## Report and Review of Events at Kogel Bay "Caves" After Great White Shark Attack

As a result of the incident at Kogel Bay beach yesterday, 19 April 2012. The City of Cape Town has compiled a report of the incident which is below for information:

### Introduction

At approximately 12:30 on Thursday, 19 April 2012, a 20 year old male, Mr David Lilienfeld was bitten by a Great White Shark at a popular surfing area known as "Caves" at Kogel Bay. The victim suffered the loss of his right leg and died in the water. Mr Lilienfeld was a member of the South African Bodyboarding Team.

The purpose of the review is to:

- Establish the facts and ensure that the correct information is provided to authorities as well as the public;
- Assess whether any reasonable actions could have been taken to prevent the attack;
- Identify areas / aspects that need to be improved to reduce the chance of further attacks; and
- Provide a detailed account of the event for the record.

### Shark Attack Details

The following account of the events leading up to the attack, the attack itself, as well as the emergency response has been compiled based on interviews conducted on 19 April 2012 with all relevant parties and eye-witnesses.

Although the accounts from various witnesses vary to some degree, as is to be expected following a traumatic event, the following can be considered an accurate description of the events leading up to the fatal attack, as well as the emergency response thereafter.

"Caves" is a popular surfing area on the Northern-most end of Kogel Bay. It is a small cove located under steep cliffs, closest to the Gordon's Bay side of the bay.



An eye witness, Mr Matt Marais, recorded that just prior to the attack he was surfing alone at the Caves. After he left the water two body-boarders paddled out to a distance of between 70 - 100m from the shore. Minutes after leaving the water he heard shouting and saw a body-boarder being attacked by a large shark. The eye witness recalled that a single shark attacked the body-boarder.

#### **Reports indicate that:**

- The two body-boarders (confirmed as brothers David and Gustav Lilienfeld) had been in the water for less than 10 minutes. They were facing the sea beyond the breakers.
- The shark made three passes at Mr David Lilienfeld. Only on the third pass did the eye witness see blood surrounding the victim indicating that the first two passes did not cause injury to the victim. This is further confirmed by reports from the responding NSRI member who observed no additional injuries to the victim.
- After the final strike, the shark moved away from the victim and did not approach the victim again.
- Following the fatal strike the victim was motionless, indicating a severe attack that left the victim helpless and lead to his almost immediate death.
- Eye witness accounts indicate that Mr Lilienfeld's brother (Gustav), who was body-boarding with him at the time of the attack, tried in vain to reach and assist his brother. The two were however separated by strong wave action.
- As he was unable to reach his brother, Gustav Lilienfeld left the water.
- The shark was seen swimming in the area for at least 40 minutes after the attack
- The waves and the current washed the body of the victim towards the shoreline.
- Mr David Lilienfeld's body was pulled onto the rocks by bystanders.

#### **Emergency Response**

The first emergency calls were received at 12.40pm.

At 13:00, the NSRI arrived on scene by road and air and reported that the victim's body was on the rocks at the base of the cliff. The NSRI took control of retrieving the body of the victim, as per standard protocol. The NSRI dispatched one of their vessels, as well as a helicopter, to assist. Due to the difficult location of the victim's body and the proximity of the cliffs, the medevac helicopter was unable to retrieve the body and returned to base. At this point both the skipper of the vessel, as well as the helicopter pilot, reported the presence of two white sharks in the area.

At 15.10 pm, the victim's body was recovered from the rocks by ground personnel and carried up to the road. The victim's father and brother were on scene throughout the recovery of the body.

#### **City's Response**

At 13.10pm the City's Disaster Risk Management Department sent a SMS notification to all relevant City staff confirming the fatal shark attack. The City's Environmental Resource Management Department (ERMD) immediately dispatched a team from the Shark Spotting Programme to the area to:

- Assist with closing the beach
- Undertake witness interviews and investigate the events before, during and after the attack.

Once the team had been notified and dispatched, ERMD then notified the Sport, Recreation and Amenities (SRA) Department at 13:18 and requested that SRA assist in closing the beach to swimming with the assistance of their District Staff. SRA immediately arranged for the closing of the beach, and also confirmed the closure.

A media release was issued informing the public. The Department of Environmental Affairs Oceans and Coasts Branch was also notified.

The White Shark Flag, indicating a closed beach due to shark activity, was raised at the main gate at Kogel Bay Resort, where visitors were advised of the beach closure at 14:45. A shark spotter was deployed to the "Cave" beach area and remained on site to actively inform the public. The shark spotter returned to the "Cave" beach area on the morning of 20 April 2012 to continue ensuring beach closure.

### **Environmental Conditions**

At the time of the attack, seas were calm with a 3-4 foot swell running, the water was "green and clear as described by the witness," water temperature was 19 degrees, the sky was cloudless and the wind was mild south-easterly breeze. The eye witness also reported that just before the attack, a pod of 30 dolphins had moved through the area, as well as the presence of a number of actively feeding birds. At the time of the attack only the two body-boarders were in the water.

### **General Information**

The area in which the shark attack took place is well known for White Shark presence, especially at this time of the year. Sightings of White Sharks by surfers at "Caves" and Kogel Bay are regularly received by the City's Environmental Resource Management Department, as well as the Shark Spotters website. A breaching shark was reported two weeks ago and ERMD have also received reports of sardine activity.

Further unconfirmed reports from construction workers who were in the area indicate that two White Sharks had been seen in the area an hour before the attack.

A non-fatal white shark attack occurred at the same area in July 1999 (prior to City actively keeping records).

In 2006, the City and the Shark Spotting Programme initiated a trial of shark spotting at "Caves". This was unsuccessful as the logistics of deploying shark spotters to an area without public transport access, or within reasonable cycling or walking distance of a major centre, resulted in the trial being suspended.

### **Shark Signage**

The City has deployed Shark Smart information signs across its coastline in 2010. These signs have been installed at all nodal points. Site inspection on the 19 April 2012 confirmed that a Shark Smart sign is present and visible at Kogel Bay Resort. However, no sign is present at the access point to the Caves surfing area which is on the northern end of the bay.

### **Conclusion**

1. Could the attack have been avoided within reasonable means?

In considering the above, the following should be noted:

- Kogel Bay is a relatively remote area with little infrastructure and no permanent presence of City staff or services. The amenity function and services are located at the southern end of the bay at the Kogel Bay Resort.
- White Sharks are known to frequently use this area, especially during the summer inshore period (late August to early May).
- The presence of a pod of dolphins just prior to the attack as well as birds feeding beyond the shoreline is indicative of general feeding activity in the area and thereby indicates an increased likelihood of shark activity.
- Just prior to the attack there were only two body-boarders in the water. It has been well documented that safety of individuals is increased by surfing/swimming/paddling in large groups.

Considering all the above, it is the view of this report that the fatal shark attack could not have been avoided within reasonable means. Cape Town is a city of 3,5 million people residing along a coastline which forms the natural habitat for White Sharks. An unfortunate, tragic and regrettable result of this will be that, on occasion, shark attacks will occur.

**Ocearch / Sharkmen Research and Documentary:**

Although the City had no role in the issuing of the Ocearch / Sharkmen permit, and did not participate in the programme, it does, however, hold the view that all relevant scientific protocols, safety considerations and permit requirements were adequately considered by the authorities with the aid of expert input, prior to issuing the permit to operate in False Bay. In addition, the City was allowed on board as an external independent observer on Sunday, 15 April and reported the following:

- "The exercise took place at Seal Island - very close to the northern end. I was on board from 15:00 to 19:30.
- There was a fairly brisk westerly going south westerly blowing which later dropped off.
- The chumming was much less than anticipated. A tuna head dangled off the stern and a mixture of crushed pilchards in water was intermittently ladled overboard. It could not have been more than 30l that was used in the time I was there.
- The small boat hooked a +-3.9m female with a baited hook and brought it alongside and onto the cradle.
- The sampling and measuring took 13 minutes in total.
- The entire operation was skilfully and professionally done and it was obvious to me that all involved care for these animals."

The following critical point needs to be stated. During the attack the sharks dorsal fin broke the surface (as reported by the eye witness Mr Marais). If this shark had been one of the tagged sharks, the satellite transmitter would have given off a signal that would have been recorded on the system and located the shark at Kogel Bay. On assessing the data, no satellite records exist for that area. Two of the sharks tagged in False Bay have given off signals and were located in the Macassar/Strandfontein area shortly before the attack. The lack of satellite signal is clear information that the shark involved in the attack is not one of the sharks tagged by the Ocearch Research Programme.

Further, with regard to public speculation of the role of chum, the following should be noted. White sharks occur in False Bay in healthy numbers throughout the year. The small and limited chumming by Ocearch would not have attracted additional sharks to False Bay as the amount of chum used is insignificant in comparison to natural chum sources in the bay including the natural chum slick emanating from Seal Island, fishing activities in False Bay, by-products from Kalk Bay harbour as well as the small and immaterial chumming by permitted cage divers.

Furthermore, the Ocearch Programme operated in False Bay at Seal Island on Sunday and Monday. The wind direction has been strong south east throughout the week. Any residual chum from their activities would have dissipated within hours and, due to the wind direction, moved from the island in an opposite direction to that of Kogel Bay.

As a result, there is no evidence or reason to suggest that the tagging of four White Sharks over a period of 24 hours from Sunday 15 April to Monday 16 April, in False Bay, by the Ocearch Programme had any role to play in the tragic events that occurred at Caves.

Although the City has, and continues to have, no role in the Ocearch Programme, as well as not feeling that it is appropriate, or required, to defend or support the programme, it holds the view that it is essential that the correct and factual information be provided to the public. Public and media speculation linking the two unrelated activities is uninformed and misleading.

## **2. Overall Response**

- All emergency response and notification procedures worked well and officials were notified within minutes of the attack, emergency response was on site within 20 minutes and all standard operating protocols were followed
- The beach was closed to bathers and the standard White Shark Flag was raised at the coastal amenity
- Shark spotters were deployed to the area and all available eye witnesses were interviewed and information drawn from these interviews was then collated

## **3. Recommendations for limiting future risk**

- The Shark Spotting Programme must be tasked with undertaking a detailed assessment of what would be required to install a full time shark spotting service at "Caves." This assessment must be done immediately and consider:
  - Budget implications for their operating budget
  - Mechanisms to solve the logistical issue of getting staff on site for daily shifts
  - Lack of general supporting infrastructure for their operations (electricity, facilities, cover and ablutions)
- Shark Spotting Programme are to report, by 30 April 2012, whether they are able to provide a shark spotting service at "Caves"
- Shark Smart information signs must immediately be installed at all access points along the road to "Caves"

*Statement issued April 20, 2012, by:*

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