



HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON PRIMARY INDUSTRIES, RESOURCES AND RURAL AND REGIONAL AFFAIRS

Reference: Management of Commonwealth fisheries

BRISBANE

Monday, 7 April 1997

OFFICIAL HANSARD REPORT

CANBERRA

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON PRIMARY INDUSTRIES, RESOURCES
AND RURAL AND REGIONAL AFFAIRS

Members

Mrs Bailey (Chair)
Mr Adams (Deputy Chair)

Mr Andren	Mr Fitzgibbon
Mr Bob Baldwin	Mrs Gash
Mr Broadbent	Mr Leo McLeay
Mr Causley	Mr Nairn
Mr Cobb	Mrs Stone
Mr Crean	Mr Wakelin

Matters arising from Audit Report No. 32 1995-96 Commonwealth Fisheries Management: Australian Fisheries Management Authority.

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Mrs Bailey (Chair)

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Mr Leo McLeay

Mr Causley

Mr Nairn

Mr Fitzgibbon

The committee met at 9.02 a.m.

Mrs Bailey took the chair.

CHAIR—Ladies and gentlemen, I declare open this public hearing of the inquiry by the Standing Committee on Primary Industries, Resources and Rural and Regional Affairs into the management of Commonwealth fisheries. The committee is reviewing a report by the Auditor-General on the management of Commonwealth fisheries which was presented to the parliament last year. Our task has proved more complex and time consuming than we expected because we have found it necessary to extend the work of the audit by undertaking extensive consultations with industry, governments and the public.

This process is now nearly complete and the hearing today and the one scheduled for Canberra tomorrow will conclude the evidence gathering phase of the inquiry. Today we will hear from representatives of the Game Fishing Association of Australia, the Queensland government, various industry participants, the recreational fishing industry and community representatives.

Committee public hearings are recognised as proceedings of the parliament and warrant the same respect as proceedings of the House of Representatives. Evidence given before the committee is protected by parliamentary privilege. Witnesses will not be asked to take an oath or to make an affirmation. However, they are reminded that false evidence given to a parliamentary committee may be regarded as a contempt of the parliament. The committee prefers that all evidence be given in public, but should witnesses at any stage wish to give evidence in private they may ask to do so and the committee will give consideration to the request.

[9.04 a.m.]

FERGUSON, Mr Geoffrey, Member, Game Fishing Association of Australia, PO Box A168, Shellharbour, New South Wales 2525

GOADBY, Mr Ian Peter, Life Member, Game Fishing Association of Australia, and Foundation Member, Game Fishing Association of Australia R&D Foundation Ltd, PO Box A168, Shellharbour, New South Wales 2525

LOWE, Mr Robert Henry, Immediate Past President, Game Fishing Association of Australia, and President, Game Fishing Association of Australia R&D Foundation Ltd, PO Box 207, Sutherland, New South Wales 2232

CHAIR—We have received a submission from you and have authorised its publication. Do you firstly propose any changes to your submission to us?

Mr Lowe—I do not have any changes, but I have other material which I would like to present.

CHAIR—Do you want to include that in an opening statement?

Mr Lowe—Yes, if I may.

CHAIR—Certainly. Please go ahead.

Mr Lowe—I have brought copies of some documents for the committee, which I would like to tender. I think I am one copy short.

I live in Cronulla and, as I said, I have been appointed as the spokesperson of the Game Fishing Association of Australia, GFAA. I have also been appointed by that association to talk on all matters regarding area E, off the coast of Queensland, which of course will figure very prominently in many of our submissions from the game fishing industry today.

Some background on myself, I believe, might be pertinent. I have been actively involved as a participant in the sport of game fishing for some 20 years and, for the last 17, in various capacities in an administrative role with our research and development foundation.

As you are aware, the Game Fishing Association of Australia is the oldest game fishing organisation in the world, having been founded back in 1936. In our original submission we give much detail of that. These are the four points in that original submission that I want to highlight again this morning:

1. Implementation of the majority of the ANAO recommendations, in particular, recommendations 3, 4, 6, 10, 11, 14, 17, 18, 21, 31, 35, and 37.
2. That the use of Commercial longlining be prohibited in Area E.
3. That ECTUNAMAC's recommendations to AFMA be implemented regarding a mandatory ban on the taking of billfish (except Broadbill Swordfish) in the Australian Fishing Zone, with changes in legislative powers to achieve

this, if necessary

4. Recreational fishing interests be far more equitably represented at MAC and AFMA Board levels.

They are some of the findings that are highlighted in the ANAO report.

Some of the things that are of great concern to us have been AFMA's heavy reliance on a report from the Billfish Assessment Group, the BAG report as it is called. I would like to mention that this morning. I have some notes on that in the resource material which I have handed to the committee.

It appears to us that there is a very strong impression within AFMA that the Billfish Assessment Group—the BAG report—found clear evidence that there was no problem with billfish stocks, nor was there a problem with interaction between commercial and recreational sectors, nor a current or potential problem of localised depletions of stocks. Some direct quotes from that report might throw doubt onto AFMA's interpretation. For example, on page 61 of the report it states:

Regarding status of stocks of billfish:

While the above assessments do not necessarily indicate any over-harvesting of billfish stocks in the Pacific (apart from blue marlin), some caution is needed. Most of the assessments are based on Japanese data alone and only up to 1980, after which the Japanese ceased to release their data. Lack of data for other fisheries and the absence of reliable size samples also limits the above assessments of catch rates and comparisons. The quality of the Taiwanese and Korean data remains questionable and needs to be improved. Furthermore improved assessments also require detailed information on fleet composition, fishing strategy and fishing gear, including deep longline gear, to be made available.

In other words, assessments of the status of the stocks of species such as black marlins, blue marlin, striped marlin and sailfish in the Western Pacific have been based on very poor data and only up until 1980. Again, page 79 of that report states:

On Black marlin: who catches what?

Many uncertainties, however, remain in these numbers and the overall impact from all sectors on the population of black marlin available within the AFZ remains unknown . . . Also, the issue of localised depletion still remains unresolved, especially in relation to the maintenance of high strike rates in the recreational sector. While better catch information will be available for the domestic [commercial] fleet operating within Area E after completion of the present surveys, better statistics for the recreational sector will also be needed. Attempts to draw conclusions at this stage would be premature and not useful.

Of course AFMA have not given any recognition to that precaution. We say that the doubts have been ignored by AFMA. Further comments on page 87 of the BAG report state:

In particular, attention needs to be drawn to the uncertainties in the catch statistics (particularly the domestic and recreational data) and the gaps in our knowledge concerning current exploitation rates and the behaviour of the fish themselves. It is really not possible to provide firm scientific advice on many of the questions being asked when so much uncertainty surrounds the present data inputs. . . . Without good data about the fisheries concerned, it is not possible to evaluate the status of the stocks or possible interactions.

Further, for the benefit of the committee, rather than read this whole synopsis we have of the BAG report, it is in the documents that I have handed to the committee. I request that that be included in the *Hansard* of these proceedings, with your permission, Madam Chair, because it really throws doubt onto AFMA and their heavy reliance on that BAG report on the status of stocks.

AFMA are saying in their responses to the criticisms from the ANAO that they have an extensive process through their MACs, their management advisory committees. East coast used to be called ECTUNAMAC. It is now the ECTUNAMAC and billfish group. The doubts that we have on the process of the MACs is really highlighted when we look briefly at a little of the history leading up to and during the open ports meeting in Cairns on 15 June, 1995.

After a very long and involved consultative process, the chairman of that ECTUNAMAC at the time—still is chairman—David Bateman, in his press release on 23 June, announced:

. . . that the total ban on the taking and possession of Marlin by all sectors of the fishery, including the domestic and foreign commercial fishing operators was just one of a number of recommendations the Committee has made to AFMA following the successful Port meeting. The Committee further recommended that the ban apply from the signing of the next bilateral agreement with Japan, or 1 January 1996, whichever occurs first.

The press release continues:

We have recommended that the ban apply to the taking and possession of black marlin, blue marlin, striped marlin, sailfish and spearfish—

in other words, all of the billfish except broadbill swordfish—

‘The recreational sector currently tags and releases most of their fish and only a few large specimens are landed for weigh in purposes. This ban would primarily affect domestic and foreign commercial fishing operators fishing within the AFZ’ Mr Bateman said.

With regard to the process leading up to and that recommendation from ECTUNAMAC—the committee is still fundamentally all commercial fishing orientated—we had one recreational representative on that committee. Yet, after that very strong recommendation from the committee, AFMA continually say, in answer to the criticisms in the ANAO report, that they do have a consultative process and they do involve all the stakeholders in the fishery.

We know that they then sought some legal advice from the Attorney-General, in our view to try and find reasons why they should not implement that recommendation of the MAC. The ANAO themselves have much criticism in their report, just to remind members of the committee, of their interpretation of that advice of the Attorney. They virtually also go on to say that they recommend that legislative changes should be sought.

We have further evidence of AFMA’s absolute lack of giving any consideration to the recreational game fishing sector in another recommendation that came out of another TUNAMAC meeting. That was a recommendation on a scientific study and survey of catch and effort in the recreational field. There were two

projects submitted for a scientific study. They were submitted to the eastern tuna and billfish MAC by Pepperell Research and Consulting Pty Ltd. Both were related to the collection of catch effort data from the recreational sector—which is one of the comments we made earlier about lack of good science and lack of good information.

Both were recommended by the RRR and the MAC, but were subsequently not approved by the Fisheries Research Advisory Board within AFMA. They argued that funds were limited and the projects were not high priority within a higher set of cross-fisheries priorities—not apparently known at the time by the MAC. Due to jurisdictional issues within the states, they were not particularly interested in funding recreational projects.

We feel that this is another example of what AFMA really do when they come up against a recommendation from their own management advisory committee which at any stage gives any support to our recreational game fishing. I direct the committee to have a really good close look at that in the ANAO report.

CHAIR—Mr Lowe, I do not want to cut your presentation short, but we do have a very full day and members are very keen to ask you questions. Could you perhaps summarise briefly the rest of the points you want to make to us in your opening statement.

Mr Lowe—At this stage, would it be pertinent if I sought your permission to run a very short video clip? We have arranged with your committee clerks for that to happen. I can also tender in evidence a transcript of the entire program. May we show that now?

CHAIR—Yes, certainly.

A video was then shown—

Mr Lowe—In the documents I have handed up there is photographic evidence of tuna fishing breaking the voluntary ban that they say applies. You will see a fish there where it has broken off a long-line, it was not cut off. What we are saying is that the voluntary ban on the taking of blue and black marlin in the AFZ is definitely not working. I table for the committee statutory declarations from Jim Dalling. On 4 March he visited the Sydney fish markets and there was juvenile black marlin for sale. I tender the original and those statutory declarations for the committee. You have seen evidence on the video where the voluntary code is not working and much in my documents points to that.

With your permission I have a charter boat captain who would like to give about one minute of evidence to the committee of what he has personally seen. Would that be in order?

CHAIR—Yes, but he will need to come forward and formally state his full name and the capacity in which he appears before us. Would you like to just take a seat and do that firstly.

Mr Ferguson—My name is Geoffrey Ferguson. I have been a charter vessel operator since 1973. I operate at the moment from the Gold Coast for nine months and for three months out of the Cairns, Lizard Island area.

On my recent return from Cairns, around December or January—I am not exactly certain of the day—I had just been up to the trawler wharf to organise some fuel and was walking past Deep Sea Fisheries, which is a wholesale-retail fishing outlet at Fishermen's Wharf on the Gold Coast, and as I was walking past I was surprised to see the tail of a juvenile black marlin in the window of the shop. To the best of my knowledge, it was definitely a black marlin tail and it was the right size and commensurate with the fish that were being caught off the Gold Coast at that time.

CHAIR—All right, thank you. If you would like to remain seated there, committee members may have some questions they would want to direct to you later. Mr Lowe, you have raised a number of issues to this committee in both your submission and what you have presented to us here this morning and we realise that this is a significant part of the industry. Can you, firstly, tell us what you would estimate the value of the game fishing industry to be?

Mr Lowe—We have a survey—done by Pepperell Research—which shows that on the east coast of Australia it is some \$230 million and in the—

CHAIR—Can you give us an idea, a break-up, of how you reach that figure?

Mr Lowe—That figure and the full break-up of that is going to be given in the Queensland Game Fishing Association's presentation, and I believe they have overheads and graphs showing all of that. But that was spent on tournaments. That figure is in contrast to the 1995-96 AFMA annual report showing that the tuna and billfish fisheries were worth \$20.5 million commercially.

CHAIR—All right, thank you. We will just move on. I would like to just start some questions about the research. You have mentioned a number of factors to us relating to the questionable data on both stocks of billfish and the actual catch data. Can you just give us a brief idea of the sort of research that your organisation does?

Mr Lowe—At the moment we have got two projects going. We have put quite a lot of funds into research here in Australia and overseas into a DNA study of black marlins—to see whether the populations are intermixed, whether they are separate biomasses. A lot of work has been done and there has been sampling on our game fishing boats and our game fishing tournaments. This project is incomplete at the moment and should give us significant information on the movements of the fish.

Another project, which we have only just gone into, is a scientific study into the eye, the retina, of marlins, which we are about to commence in conjunction with the University of Queensland. This again will help us to understand the species.

CHAIR—If I could just concentrate just on the data collection for a moment, you are very critical of AFMA's ability in this area. Can you suggest to us how you think this could be improved?

Mr Lowe—We believe that the duplicity of logbooks is one matter—and we saw again evidence given by one of the operators that they have a couple of sets of logbooks. We believe observers on vessels would make a significant difference to the policing of this information and of course the Japanese, as we

state, have stopped giving that data.

Mr ANDREN—You say in your submission that you have a fairly strong commitment to your own research and grants. Can you tell us how extensive this is? Is it a substantial amount of money, and from what sources do you raise it? Can you also give us your view on the extent of official research so far into your particular area?

Mr Lowe—Our foundation raises money from within our constituency of members in the game fishing clubs. We run annual auctions of donated goods and, in the two years that we have been operating, we have raised in excess of \$100,000. We have given four grants. One is for \$35,000 towards DNA research. Yesterday we committed to an ongoing payment to the University of Queensland for a graduate to do a doctorate in the retina area. That is a project which will run over three years with dollar-for-dollar grants worth about \$140,000 and we are committed to that for the three years. We have sent people to seminars. Mr Goadby represented us in Monterey, and perhaps he can tell us a little about that. So it is ongoing.

Mr ANDREN—It is not a huge amount of money. We have been told time and time again that there is little money and little research effort. A point that ANAO brought out in their report was that perhaps there was a need for far more. Given that our biomass in these areas is such an indefinable thing—the fish cross boundaries, as such—should the government be putting more in? Should the research be more targeted? Should the CSIRO have a far more active role in this area?

Mr Lowe—I believe that they should. The government should make funds available for research into billfish.

Mr ANDREN—Your submission seems to be saying that there is a crisis situation in terms of the black marlin, yet I understand that this season has been particularly good off the east coast. Why is that, if the stock is in crisis?

Mr Lowe—We believe it is the fact that the Japanese long-line activity was not there in 1996. If you compare a set of 5,000 long-line hooks with a charter game fishing vessel operating two hooks at a time, the difference in effort taking the billfish is enormous when the long-lining is there; and the Japanese were out of the waters in 1996. That fact, combined with the unusually strong northern currents on the eastern coast of Australia this year—such that the Torres Strait Island pilots have said that they have never experienced currents so strong—has meant that those juveniles which had been saved from the long-lining activity of the high seas Japanese fleet have been brought down to our coast.

Mr CAUSLEY—I would like to follow on from that. In your presentation, you never admitted any evidence at all of the fact that fish stocks do vary according to currents and the feed that is available, and that you do get variations from year to year.

Mr Lowe—Yes, we do; and I certainly recognise that. That is why the fishery off Port Stephens, for example, was quite good recently.

Mr CAUSLEY—I think you made mention of the fact that you did not believe that there was enough

‘representation’ on the MACs. From my experience in fisheries, that is usually a euphemism for ‘power’, meaning that there is not enough input into the MAC as to your particular interest. Another problem that I have found in fisheries is that each particular group usually argues for their own benefit, obviously, and that there is never a good look at the whole fishery and how it is going to be managed according to all interests.

Mr Lowe—We fundamentally support commercial fishing; we are not opposed to the commercial fishing sector. We have much evidence to show, however, that if billfish were left to the recreational sector—and this has happened in other parts of the world—then there is room for us both. Whichever they can target and sell billfish, then there will always be conflict with the commercial sector. The East Coast Tuna Boat Owners Association say they have no interest whatsoever in blue and black marlin. We keep posing the question: why are they frightened of legislation? What have they got to lose if the government legislates to make it mandatory? If they have got no interest, what have they got to lose?

Mr NAIRN—Just following that point a bit further, what incentive is there for them to take the billfish? When their business is predominantly tuna and they are getting really good money, particularly through the Japanese market, for a lot of the tuna product, what really is the incentive for them to take billfish? What are they making out of it?

Mr Lowe—There was a field trip done by Mr Freeman, an AFMA employee on ECTUNAMAC, and he says in his report of September 1996 that a very small select market is reported to be developing for black marlin in Japan and one of the export fish realised 4,300 yen per kilo. It says that such high value complicates the voluntary requirement to return the fish to the sea, particularly if it is dead, and that a 200-kilogram fish could be worth approximately \$10,000. We are talking about a black marlin there. That is in part of his report of his field trip to the tuna ports of New South Wales and Queensland.

Mr NAIRN—The marlin that you say you have seen in the Sydney markets, for instance: what is it being sold as?

Mr Lowe—With your permission, Peter Goadby could answer that because Peter has seen this, and part of our presentation is statutory declarations from Peter Goadby.

Mr Goadby—As Mr Causley knows, I do go down to the fish markets quite regularly on various committee meetings and, if they are in the morning particularly, I go in early and have a look. The marlin are in the sashimi bay with the broadbill swordfish and the tuna. On three occasions now I have seen black marlin there, up to about 200 kilos. That is just from the times that I go there.

I understand New South Wales fisheries are now going to take a much greater interest in this, because they are concerned at the conflict between the recreational and the commercial fish—with one group saying they do not take them and then they are being sold as recently as my birthday, 12 March, when I had dinner at the Park Royal. The fish of the day was listed—and when I asked what it was they said it was marlin. I said could I have a look at it and it was blue or black—I cannot be closer than that. But it certainly was not striped marlin.

Mr NAIRN—It is has been openly sold in the market?

Mr Goadby—Openly sold in the market.

Mr NAIRN—It has not been disguised as some other fish?

Mr Goadby—No, the only way it is described as other fish is that Musumeci have got a sign saying 'blue marlin fillets', and sometimes it is not blue marlin and sometimes they have got stripes mixed up with it. But it is sold as marlin and it is appearing in restaurants as marlin. It is no good anyone saying that it is not being caught, because it is there and it is visible. I see it on those visits to the market.

Mr NAIRN—You mention in your opening, Mr Lowe, that you are the president of the research and development foundation, the Game Fishing Association Research and Development Foundation. Is that correct?

Mr Lowe—That is correct.

Mr NAIRN—How long have you had that part of the association in operation, because it was not mentioned in your submission?

Mr Lowe—For two years. The foundation has an ACN number, of course, and is a non-profit public company. We have had two annual general meetings.

Mr NAIRN—And it is funded by the association?

Mr Lowe—It raises its own funds from the game fishing people. On just one quick point if I may, the Fisheries Department of Western Australia, in a letter dated 26 February 1996—and they, in Western Australia, prohibit the selling of marlin—say:

A controversy arose within Western Australia during 1995 which involved the take of marlin in Queensland, the transport of these fish to Melbourne where they were finally passed on to Western Australia for sale. This led to public concern involving the alleged take of billfish within Western Australia for sale within this state.

That is on the Fisheries Department of Western Australia letterhead, signed by Frank Prokop, Recreational Fishing Policy Officer. There are many other points in that particular letter which, again, support the fact that they are blatantly transporting and selling blue and black marlin.

CHAIR—Mr Lowe, you are raising a number of issues and I am aware that time is getting away from us. What management decisions does your association believe should be put in place to make sure that both the commercial fishing industry and the game fishing industry can coexist and each do the right thing by the resource?

Mr Lowe—I think the simplistic one—as has been done in other countries of the world—is to declare billfish as a recreational species and put some management into the recreational fishing sector. We have this problem of the Commonwealth managing the stocks—they are in the AFZ—and virtually doing nothing in terms of management of the important recreational sector. So to coexist—which is something that we dearly

want to do—we believe that that would be a step in the right direction: to put research into the resource and the food chain of the resource. That is what we believe ought to happen.

Mr CAUSLEY—You are really saying there, aren't you, that there should be no long-lining and there should be an unlimited amount of money thrown in?

Mr Lowe—I am not saying there should be no long-lining. I am saying that there should be no—

Mr CAUSLEY—Why else do you say that you will not catch the billfish?

Mr Lowe—It is our belief that they are targeted. I have personally seen evidence when on board my vessel in Coffs Harbour. When the long-line fleet ran out of tuna, they went out and targeted marlin. They admit that and the amount of marlin that came in gives evidence to that. We are not saying that you can totally eliminate bycatch, but if they cannot market them, if they are not allowed to have them in their possession, then they are certainly never going to be tempted to target them and the bycatch will always be there but it will certainly be dramatically reduced.

Mr ANDREN—Although you say at the moment the recreational industry far outstrips in your region, I gather, the commercial fishing industry, it sounds to me as if the pressure is there, with the attractiveness of marlin as a plate fish, such that it could quickly, if it was allowed, outstrip the recreational sector as an economic factor. Is that right?

Mr Lowe—I doubt that it could.

Mr ANDREN—We are talking about \$10,000 a fish, aren't we?

Mr Lowe—Yes, that was mentioned in Ian Freeman's field report. The value of that fish would not be the norm. We are also led to believe that that particular operator out of Coffs Harbour has ceased sending the black marlin to Japan.

Mr ANDREN—You have got observer status on the MAC at the moment, I gather.

Mr Lowe—We have a recreational representative on the MAC and the Cairns Professional Game Fishing Association has observer status.

Mr ANDREN—What sort of representation would you like that bumped up to?

Mr Lowe—I believe that the Cairns Professional Game Fishing Association—in other words, the charter side of our industry—should have full representation on the MAC, and that at least would give us two recreational representatives on the MAC.

Mr NAIRN—Would you be happy for your membership to contribute to the management, to the costs, as the commercial people have to do?

Mr Lowe—Sure. Again, when Mr Col Earle from the Queensland Game Fishing Association gives his evidence to the committee later in the day he will show you that our sector contributes \$41.085 million to the federal government annually, and he has figures to back that up.

Mr NAIRN—You can make those sorts of comparisons with almost any industry by saying that with reference to sales taxes, fuel taxes, income tax and fringe benefits tax et cetera, and the commercial fishing sector can also make that claim. But it gets down to the cost of managing the fishery, and the commercial people have compulsory levies that go to AFMA to run the managements. I am asking whether, if you want the same sort of representation, you are prepared to contribute in the same way.

Mr Lowe—One claim, of course, that the commercial sector cannot make is that they pay the excise on fuel, because they do not. And that is a very significant contribution.

Mr NAIRN—It is one tax of a whole heap.

Mr Lowe—Again, it comes back to the point that I made earlier that the stock is there managed by the Commonwealth but they are not effectively managing our sector. If they were and if there were some form of contribution required from our sector, we have said in the past that, subject to what the management and licensing regime would be, that is quite a distinct possibility.

CHAIR—Mr Lowe, there has been criticism of your industry in the past for not wanting to contribute in the same way as the commercial fishing industry and, with the greatest of respect, you do seem to be skirting answering Mr Nairn's question today. Would you mind stating for the record where your industry stands on that issue?

Mr Lowe—I believe that when the Cairns Professional Game Fishing Association give their submission to you later on today they may do so. I cannot speak for the charter industry. I am speaking for game fishing as a sport overall.

CHAIR—But does your association have a view on this question?

Mr Lowe—I believe that the view of our association would be that if the excise on fuel were to be removed then the charter industry, I am quite sure—and they could back this up this afternoon—would be more than willing to contribute to the management.

Mr NAIRN—If there is a demand for marlin in restaurants and so on, are you confident that you are not going to see recreational fishing people starting to keep marlin, not just tagging them and throwing them back, and feeding them into the markets as well?

Mr Lowe—We are totally opposed to illegal commercial fishing—which is what that would be. If any recreational person were to try to sell any species of fish, our association is absolutely opposed to it. We have built into all our rules and regulations that you are disqualified, you are out, you are finished in game fishing if you do such a thing.

Mr CAUSLEY—Are you denying that it happens?

Mr Lowe—I deny that it happens from our organised sector of game fishing. I certainly cannot deny that some of the trailer boat fishermen, for example, who come from Victoria to Bermagui when the yellowfin tuna run, illegally take and sell marlin. We would do everything in our power to assist the authorities in arresting these people and in having them heavily fined and/or gaoled.

Mr LEO McLEAY—How long does it take for a fish to grow as big as the one we saw caught on the film?

Mr Lowe—They could be, say, 25 years old.

Mr LEO McLEAY—The ones we saw in these photographs here: how long would it take for a fish to grow that big?

Mr Lowe—They could be 10 or 12 years old. The smaller ones could be one year or two years old.

CHAIR—Mr Lowe, in light of the time that has elapsed, if there is not an issue that we have raised with you, do you wish to make a very brief closing statement covering an issue that we have not covered with you? Or are we all done?

Mr Lowe—I would like to reinforce, in closing, one of the things we have not covered a lot, which is long-lining activity in area E and the transferability of proposed licences in that area.

CHAIR—I can assure you that will get a very good airing today.

Mr Lowe—I would like to leave you with that thought of going back to protecting the fish stocks in that world heritage area of area E.

CHAIR—Thank you, Mr Lowe.

Mr Lowe—Thank you, Madam Chair.

Mr Goadby—Could I just add something very briefly. We hear about the price that tuna and billfish attract in Japan. Again, because I spend a bit of time in the market in that sashimi area listening to the auction and being there, we hear about the price of big-eye tuna, for instance. Only a week ago there were seven big-eye there. They were up to 200 pound. To my eyes, they were beautiful fish, and they brought between \$8 and \$12 a kilo.

We hear the price of marlin: when it gets into the market and is being displayed is only \$10 and \$12 a kilo. We are talking about fish that do not bring in a lot of money for the commercial fishermen, and the question has got to be asked: when does bycatch—and this is in a lot of the overseas documents now—become multicatch? The world is just sick of justification for fish being killed because they are bycatch. There are 150 ways that these papers show that long-lines can be set and operated and long-lines can target

and do target billfish.

CHAIR—Thank you for your attendance this morning. The committee has agreed that the submission, documents and video from the Game Fishing Association of Australia be part of the record of the committee's inquiry.

[9.53 a.m.]

APPLETON, Mr Patrick Leonard, Executive Officer, Queensland Fisheries Management Authority, PO Box 344, Fortitude Valley, Queensland 4006

CURREY, Mr Dan William, General Manager, Fisheries Resource Protection, Fisheries Group, Queensland Department of Primary Industries, 160 Mary Street, Brisbane, Queensland 4000

POLLOCK, Mr John Saunders, Executive Director, Fisheries, Queensland Department of Primary Industries, and Director, Queensland Fisheries Management Authority, PO Box 46, Brisbane, Queensland 4000

TANZER, Mr John Melvin, Chairman, Queensland Fisheries Management Authority, PO Box 344, Fortitude Valley, Queensland 4006

CHAIR—I welcome the representatives of the Queensland Fisheries Management Authority and the Queensland Department of Primary Industries. We have received a submission from the Queensland government and have authorised its publication. Do you wish to make any changes to that submission firstly?

Mr Pollock—No, thank you.

CHAIR—Before we begin our questioning, would you like to make a brief opening statement. I encourage you to be brief.

Mr Pollock—Thank you. I guess it is worth reiterating a couple of points that are made throughout the submission. One is that we have limited our contributions or submissions to points of interest to the Queensland government that are general in nature, that applied to our interactions with the AFMA or that arose during the findings of the Auditor-General.

Secondly, I believe that through our own fisheries management activities we are very conscious and aware of the need for cost effectiveness of any issue or proposal that is put before us. That is particularly important in a lot of the northern fisheries because of their fairly sparse nature, having a lot of mixed activity from indigenous as well as commercial people, and the great difficulty in achieving full cost recovery in the management and enforcement of a lot of those fisheries.

Lastly, I would like to restate the point that has already been made this morning about the management of the tuna long-line and billfish fishery. I think the points we have made in our submission adequately cover that. But, very briefly, it runs along the line that we believe that AFMA and its legislation should be adequate to address all participants in the fishery. We understand the legal interpretation that has restricted AFMA in dealing mainly with the commercial economic benefit to be derived from the fishery. We would claim that it should be broad enough to cover all activities—recreational as well as commercial.

CHAIR—Thank you. I know that you have been here and have heard the previous submission. Has the Queensland government assessed the commercial value of the recreational and game fishing sector?

Mr Pollock—Not to the best of my knowledge.

Mr Tanzer—There has been a number of different studies done but they tend to vary considerably in terms of method. I understand that there is again a proposal around for a national study to be undertaken, but there has not been a state assessment done. However, the QFMA is currently undertaking a statewide summary of recreational fishing which will indicate the major species targeted. It might be useful for committee members to know that the latest survey that we have done would indicate that there are in the vicinity of 800,000 recreational fishers in Queensland, fishing at least once annually.

Mr ANDREN—I gather that you are sympathetic in general terms to the sorts of arguments we have heard from the Game Fishing Association. You say that any lifting of the ban on keeping marlin could seriously threaten the future viability of the industry off Far North Queensland. Are you suggesting, as the previous witnesses did, that there should be a much stronger MAC representation? How would you see their involvement being recognised?

Mr Pollock—Our argument has been more along the lines of making sure the legislation that supports AFMA is adequate to the task; that is, that it can take on board the recreational and other beneficial users of that particular fishery. We do not have a view on MAC membership at this stage, unless John Tanzer would care to comment on that. I do not believe our submission addressed that issue.

Mr ANDREN—You have seen the Attorney-General's interpretation. Would you not suggest that that was perhaps enough indication to AFMA to push on down that path? It strikes me that AFMA could be accused of using it as a convenient excuse to do nothing.

Mr Pollock—No, I have no further comment on that.

CHAIR—Mr Nairn wants to follow up on that point.

Mr NAIRN—I got the impression from your submission that you were really agreeing with the ANAO report that the MACs were seen to be too industry dominated. I have to say that I was a bit surprised that the Queensland government would suggest that it should not be strongly industry based.

Mr Pollock—That comment was made more as a perception of the community that it could be seen to be too industry dominated. That might be splitting hairs, but please allow me to split them.

Mr NAIRN—So you are not saying that it is? You were not really agreeing with the ANAO report? You were saying that the perception might be—

Mr Pollock—I think that is very strong and it is an important perception. We have got recent experiences with management advisory committees in Queensland and we have set them up under the Queensland Fisheries Management Authority. Perception is very important for them to be seen to be giving professional and impartial and well-balanced advice. I would constrain myself with saying just that; the perception component of it is important.

CHAIR—So you do not want to change the structure of the management of the MACs?

Mr Pollock—To be quite honest, I do not know enough about that particular MAC to give you any comment on that.

Mr NAIRN—The other point that I wanted to take up was you said that Queensland believes that AFMA should have full responsibility for management, including for the recreational and game fishing sectors; that is, the East Coast Tuna and Billfish Fishery. To what extent do you think that they should have responsibility? Are you suggesting that they go to the point of possibly even issuing licences to recreational fishermen? If they are going to take over the whole management of it, how far do you think they should go?

Mr Pollock—Whatever management arrangements AFMA would subsequently need would have to be put in place, probably with consultation with us and the sectors. The main thrust of our point in the submission there was to clarify the legislative impediment to AFMA totally managing the fishery. That is based, I understand, on the legal advice that AFMA has previously received with respect to taking account of recreational fishing.

CHAIR—You seem to be concerned in your submission about the split management approach. You wanted one overarching authority to take responsibility for the management.

Mr Pollock—I am not so sure it is split management because we do not manage the billfish fishery. It is a case of no management and that no management has been brought about because of what I would call a legislative impediment—for want of a better word.

Mr NAIRN—Can I take you to the OCS agreement? I think the Australian National Audit Office criticised AFMA for the fact that all AFMA may have put forward was an excuse and the fact that there were no OCS agreements or very few agreements with the states was an impediment to their management. I don't understand the Queensland fishery. I know that in other fisheries there are species that do not necessarily stop at the three-mile limit—they cross over. Is it possible that some of those species should be ceded to the Commonwealth for management where they are in state and Commonwealth territories?

Mr Pollock—With respect, I pass this one to John Tanzer. But let me make an introductory comment. The OCS and the agreements that have been appended to it or followed from it have only been in place for two years or less. Our relationships with AFMA, and through those joint agreements, have been fairly good and productive to date. I would like a little more time for the agreements and the settlement to work themselves down before we made any drastic changes to it. In respect of straddling stocks in particular species, would you care to make a comment, John?

Mr Tanzer—I think the split between Queensland and the Commonwealth is fairly clear. It has perhaps been more easily negotiated than for some of the southern states where there is more of a problem with straddling stocks. The pelagic species—the tuna and the billfish—are Commonwealth fisheries and not Queensland fisheries. You made a point before about a fishery-wide approach and how difficult that is to obtain. Behind the Queensland submission is the philosophy that fisheries should be managed as a resource in keeping with ecological principles and that, therefore, one management agency should manage the totality of

that species.

I would just make the comment that in relation to the QFJA, the joint authority in the Gulf of Carpentaria, I would endorse what John Pollock said. There the arrangements are settling down. We are still assessing their workability and I would like to give it a three-year period, then review that arrangement and see if we cannot come up with something that is a bit more workable.

Mr CAUSLEY—A lot of the argument around this issue is around stocks and whether we have enough information on fish species and stocks. The Australian National Audit Office have made, I believe, a fairly simplistic approach and said, ‘Well, there is not enough research. We don’t know about stocks so, therefore, we shouldn’t be doing these things.’ In your experience as managers of the fishery, how easy is it to have this type of information and is it more practical to rely on catch information over a period of time to assess the fishery?

Mr Tanzer—I think the ideal situation is where you have reliable logbook data coming in—in addition. You also have what they call fishery independent assessment, receipts from marketing and stock assessment on the ground—so to speak. Probably AFMA is starting to lead the way in that regard in fisheries management. They have stock assessment subcommittees set up for most of their MACs. CSIRO, or whoever they commission to do the on-ground assessment, are now starting to provide the information which can finetune the accuracy of the logbook data. It is not sufficient to rely solely on logbook data for fisheries management. That has been proven around the world. It is very difficult though to get perfect fisheries information. In fact you never will with the marine environment, so it is a matter of authorities such as AFMA and the Queensland Fisheries Management Authority making decisions on the best information that is available. But there is certainly room for improvement. All the jurisdictions, I believe, will follow AFMA’s lead in trying to get better stock assessment in place for improved management.

CHAIR—Has it been your experience that whatever data collection has been available is communicated well to both the Queensland government and the industry through the MACs?

Mr Tanzer—It is a fairly open process. I sit on NORMAC—which is the MAC that manages the Northern Prawn Fishery—as a state representative, and certainly that has very good information. I cannot really talk about the quality or level of information for southern shark and some of those other fisheries because I do not know them well enough. With regard to the Northern Prawn Fishery, CSIRO has been in the gulf for a long time doing a lot of work, so there is very good data available for prawns. Bycatch in this fishery is something which is going to take some time to get a much better handle on.

CHAIR—There is quite an amount of money being spent on research, but it is hard to pinpoint whether the information is actually being communicated back into the industry.

Mr Pollock—At a Queensland level anyway, through the MAC process and indeed through the activities of our own managers, whether they are in the Department of Primary Industries or the QFMA, that process is working fairly well—whether it is exemplified through our activities with turtle excluder devices in trawl fisheries or just a general understanding of the level of the stocks in particular fisheries. I think we find up and down the coast a lot of fishermen are pretty aware of research findings, whether it is on stock levels,

fishing methods or whatever. I must admit that is a Queensland based comment. I could not give you the same answer with respect to AFMA.

CHAIR—In your submission you spend a fair bit of time talking about the concern that the recreational and game fishing organisations and the charter boat operators have about the incidental catch of billfish by the tuna long-liners. How concerned is the Queensland government about this? For example, you heard some of the comments made by the previous people before us this morning. How seriously are you taking these concerns?

Mr Pollock—That is a very difficult question to answer. May I just say that we have communicated with the federal government on this issue and it has been along the lines as was put in our submission—that is, we felt once again that AFMA needed the capacity to manage the fishery for all sectors and that seemed to be tied up with this legislative impediment.

CHAIR—Has the Queensland government taken any steps to verify the claims that have been made?

Mr Pollock—No.

Mr CAUSLEY—Mr Goadby in previous evidence suggested that you can set hooks in particular ways so as to avoid bycatching. Have any of you had any experience in that area?

Mr Pollock—That is beyond my technical ken. I do not know whether the other members would have any information on that.

Mr NAIRN—Still associated with your submission, you mentioned that the game fishing operators have said there is a diminishing number of fish. This is a question I should have asked the previous witnesses. How much has the recreational and game fishing part of the industry grown in that same period? How many more charter operators and recreational people are out there going after those sorts of fish?

Mr Pollock—I do not have that information at hand. If it is in the interests of the committee, I could try to dig that information up if we have it.

Mr NAIRN—If the Queensland government has some information on that, I think it would be useful. I think we will ask some of the other witnesses today who probably will be able to provide some knowledge, but I think it would be good if we had it from the Queensland government. Possibly your tourism side might have some information that would help.

Mr Pollock—I do apologise. I do not have that, but I would be quite willing to chase it up for the committee.

Mr Tanzer—I just want to clarify that—that is for the game fishing sector. We issue permits for vessels in the charter vessel sector that engage in fishing and we had about 250 at last count. That is only a new scheme that we have brought in, but we have about 250 charter vessels operating off the east coast of Queensland. I do not know how many are engaged in fishing for pelagic species.

Mr NAIRN—Was that five years ago, for instance?

Mr Tanzer—I am not speaking from recorded figures now. From personal experience, I suspect there has not been a dramatic increase over five years, because there has been some rationalisation in the numbers of vessels operating. There has probably not been a large increase out of ports like Gladstone and Mackay. My understanding is that up in Cairns a lot of the growth occurred in the 1970s and 1980s.

Mr Pollock—Could I make one other comment on that, Madam Chair? This is a bit of a value judgement, but I believe that the sector and its attractiveness is based, once again, on perception. A lot of the success of the game fishing industry is based upon the perception that that northern fishery supports large virgin stocks untouched by commercial hands. That perception may pose a problem for the industry.

Mr ANDREN—On the issue of bycatch, do you think there is any sense in the idea of a reward for landing bycatch, not so much to target a species but to encourage anecdotal input by the fishers and prepare them to make honest assessments as a critical part of the research effort? Because I sense that that huge wastage is a hugely emotive issue as much as a waste economically. Do you see any validity in that?

Mr Pollock—Are you talking about the recreational and commercial sectors here?

Mr ANDREN—Yes.

Mr Pollock—Personally, I would agree. You run into a few difficulties though. In the commercial sector, if bycatch happens to be illegal for a particular species, it is going to be very difficult to get reasonable estimates of what they have actually taken.

Mr CAUSLEY—What about if they were allowed to sell it, and 50 per cent of the value went towards research?

Mr Pollock—That is a fair comment. Can I take it as a comment?

Mr ANDREN—There has been quite a bit of publicity in the southern press recently about the impact of live fish catching in Queensland waters. What is the effect of this and does it represent a new pressure on resources?

Mr Pollock—Is this in respect of fisheries managed by AFMA or state based fisheries?

Mr ANDREN—Is there any overlap in this area? As fish industry representatives and overseers, do you regard it as an emerging problem area or not—or as a new resource?

Mr Pollock—I will ask for other comment here, but the fish are still being caught by the same methods. It is primarily by line fishing. Through the Queensland Fisheries Management Authority, we keep an assessment through logbook data on sustainability of the stocks. The main emerging issues for us are ones of technology on how to handle the product. But, at this stage—I will stand corrected by John—I do not think we have seen a massive increase in take of things which are causing us a great amount of concern, like

coral trout.

Mr Tanzer—At this stage anyhow, it seems to be a translation from the fillet trade into the live trade. You certainly hear complaints from local people that they cannot buy reef fish for the price that they used to be able to buy them for. But we have not seen a large increase in the overall volume of catch. It is something that REEFMAC, the local Queensland fisheries management advisory committee, is keeping a close eye on.

CHAIR—Mr Pollock, has the surveillance vessel *Wauri* been sold? If it has, what has the impact of the sale had on surveillance?

Mr Pollock—The vessel has been sold, but Dan Currey looks after our surveillance and enforcement activities within the state, including a lot of areas in the Torres Strait on behalf of the Commonwealth, so perhaps Dan would care to comment on that.

Mr Currey—The *Wauri* was previously owned by AFMA, and the enforcement services were delivered by the Queensland Boating and Fisheries Patrol on behalf of AFMA in the Torres Strait. A team looked at the most cost-effective future surveillance options and an opportunity came up whereby the Australian Customs Service was willing to buy the vessel off AFMA and lease it back to us for the same number of enforcement days as we had had the previous year, at a much reduced cost. So, from our point of view, the vessel has been sold. We are still doing the same level of enforcement and surveillance in the Torres Strait as we did last year and the cost has reduced considerably because Customs can multi-task the vessel. As well as using it for our purposes, they are using it for the purposes that they want to use it for.

Mr LEO McLEAY—Do they take a fisheries inspector on all the patrols that they do?

Mr Currey—We get two dedicated fisheries inspectors on the 110 days a year that we have the vessel. If we want to we can put fisheries inspectors on at other times as well. There are times when they do customs patrols or other patrols that we do not have a staff member on. But we do have staff members on for the 110 dedicated days, at least, a year.

Mr CAUSLEY—But, realistically, visible fisheries inspectors are a waste of time because, with the cockatoo system within the fishing industry, they know exactly where the inspector is at any one time.

Mr Currey—I think there are a couple of issues here. There is a whole heap more surveillance in the Torres Strait than just the *Wauri*. Coastwatch is very active, the navy is active, and the Queensland and Australian governments have quarantine officers on various islands. So we get intelligence from a whole range of sources other than the *Wauri*. I think that is borne out by virtue of how successful they have been in recent years in terms of Indonesian foreign fishing in the Torres Strait. We get our information from a whole range of sources and we do not just rely on the *Wauri*.

Mr FITZGIBBON—Can you explain the navy's involvement in that process?

Mr Currey—We frequently utilise the navy: either occasionally they are doing patrols up there on behalf of Coastwatch or, often when Coastwatch detects foreign fishing vessels, the nearest boat will respond.

Sometimes that is the *Wauri* but often it is a naval boat. I think there were two or three Indonesian apprehensions last week and they were picked up by naval vessels.

Mr LEO McLEAY—Does the navy tend to use fisheries officers as law enforcement officers because they do not have the authority to arrest people?

Mr Currey—Often, when there is a response, fisheries would participate. I would stand corrected but I think the navy does have the power to apprehend vessels in Australian waters.

Mr LEO McLEAY—Foreign vessels?

Mr Currey—Foreign vessels in Australian waters.

Mr LEO McLEAY—But not Australian vessels?

Mr Currey—That is a slightly different issue. The real concern for Australia, I think, is not so much our ability to enforce our own waters; it is PNG's inability to enforce foreign fishing in its Torres Strait waters. If there are any straddling stocks and we are doing a very good job of enforcing foreign fishing in our waters but PNG does not have the capacity to do the same thing in their waters, people just sit one mile off Australian territory and flog that resource to death. We have been active in working with PNG for some time trying to get cross-endorsement. Last year, for example, we had some PNG fishing inspectors on board the *Wauri*. I think some Indonesian people got a fair shock when the *Wauri* did not stop in Australian territory; it just charged straight through into PNG and apprehended them. I would like to see a lot more of that because if we continue to let PNG waters get overfished this will eventually have some repercussions for us in the Torres Strait.

Mr LEO McLEAY—What is the element of overfishing in PNG waters? Are they Indonesians or are they Taiwanese?

Mr Currey—It can be both.

Mr LEO McLEAY—Is it very heavily overfished?

Mr Currey—I do not really have data on PNG. All I know is that, occasionally, when the *Wauri* is sailing around, they see foreign fishing vessels in PNG waters and we suspect that they are there illegally. They are certainly not frightened of the *Wauri* because they know they are not in Australian territory.

Mr FITZGIBBON—With regard to the 110 days you mentioned, is that an arbitrary figure arrived at within the constraints of resources and funding? Or is there some more technical basis for that figure?

Mr Currey—We have advisory committees that look at this and, at the moment, it is 110 days. They sit down every year and have a look at what is an appropriate program. My feeling is that, for the area of water, 110 days is pretty good enforcement.

Mr ANDREN—What formal arrangement do you have with Papua New Guinea? Is there any joint management effort there?

Mr Currey—With some fisheries in the Torres Strait the resource is shared, so yes, we have to have frequent discussions with PNG about catch and other things.

Mr ANDREN—It strikes me that these boats could just sit there in Papua New Guinea waters and conduct raids into our fishing grounds and you would not know the difference, would you?

Mr Currey—That is what enforcement is all about, I guess, when they are just sitting there. There are Coastwatch flights up there almost daily. The chances are that, if there is incursion into Australian waters, we know about it pretty quickly.

Mr ANDREN—You said that the adoption of cost recovery, coupled with industry's dominance on the MACs, has led to undeniable measure of client capture, which requires redressing and a clearer reflection of public interest, and that DPIE should take on the role of establishing public policy principles. What are you getting at there? What would you like to see DPIE do?

Mr Pollock—There are a couple of issues there. One would follow on from the capacity of AFMA to address all users of the fisheries resources. The second component of that would be based on our own experiences in Queensland; how to use MAC and other public consultation processes to get advice on fisheries management issues, firstly, and then input to fisheries management strategies. Drawing an analogy between our own department and DPIE, we seem to provide a pretty good mechanism for developing some overarching policies, whether a fisheries adjustment policy or open public consultation policy. We seem to have been able to achieve that. DPIE could probably provide a similar role.

Mr CAUSLEY—You probably sidestepped the question as well as Alfie Langer when I asked it originally. I will put it in another way. If you were required to abide by the recommendations in the Australian National Audit Office report on assessing fish stocks in Queensland, what would you need in your budget to do it?

Mr Pollock—I would need a big increase in budget.

Mr CAUSLEY—Can you make an estimate?

Mr Pollock—No, I cannot. We are facing the same problem within Queensland managed fisheries. The budget does not ever stretch to match the need for stock assessment.

Mr FITZGIBBON—Haven't you got some sort of idea of the money involved?

Mr Pollock—Not on the Commonwealth fisheries, no, I do not. I do not know whether any other members for the government might be able to answer that but I could not give you an off-the-cuff comment on what it would cost.

Mr NAIRN—With regard to the *Wauri*, the Queensland government submission, on page 5, shows there has been a dramatic drop in time. It says that sea days in this program have declined from 250 days in 1991-92 to an expected 110 days in 1996-97. Even from 1995-96, in the Protected Zone Joint Authority, it went from 174 surveillance days to 110, which actually coincides with a saving of about a million dollars.

Mr Currey—You are not always comparing apples with apples. There has been a cut in the number of enforcement days. The difference, for example, between 1995-96 and 1996-97 is that there were some services the boating and fisheries patrol delivered that were non-enforcement mixed up in that 174 days. It was perceived to be more cost effective for AFMA for its Thursday Island staff to deliver them themselves. Things like going around to some of the communities and talking about fisheries education, which used to be done in that 174 days, is now done by other people.

Mr NAIRN—Yes, I remember when we went on the *Wauri* in Cairns they talked about some of that sort of activity.

CHAIR—I think we have completed the questions that we have for you at the moment. Would you like to make a brief closing statement? Are there any issues that we have not covered here this morning?

Mr Tanzer—The Queensland Fisheries Management Authority is a relatively new authority which commenced in early 1995, so I have some knowledge of the difficulties in terms of setting up a new organisation where an old culture existed. It occurs to me in reading the report of the Audit Office that perhaps there was not enough understanding given to the organisational role that AFMA had in terms of setting itself up as a statutory authority from scratch. There was a strong pre-existing culture with the Australian Fisheries Service.

Bringing together a whole new model in fisheries management is a difficult, extremely complex organisational task in itself. At the same time, the world does not stop. You have to keep managing fisheries, make difficult decisions, and work with inadequate resources in terms of what you understand about the fishery. Perhaps the audits don't pick this up, but there needs to be some understanding of the difficulties in establishing a new organisation from scratch. Quite a big task has been fulfilled by AFMA in the short period that it has been in place. I think it is now broadening its role and its approach, often in keeping with the issues raised in the audit report.

Short adjournment

[10.46 a.m.]

CRAFT, Mr Bradley James, Senior Vice-President, Cairns Professional Game Fishing Association Inc., PO Box 5722, Cairns, Queensland 4870

MASON, Ms Susan Jane, Secretary, Cairns Professional Game Fishing Association Inc., PO Box 5722, Cairns, Queensland 4870

CHAIR—I welcome representatives of the Cairns Professional Game Fishing Association. We have received your submission and have authorised its publication. Are there any changes that you wish to make to that submission?

Mr Craft—Just one, Madam Chair. The last page of the original submission read that our industry had started in 1996. That is a typographical error. It was 1966. Sorry about that.

CHAIR—Thank you. Before we begin our questions, would you like to make a brief opening statement to us?

Mr Craft—Yes, I would, Madam Chair and members. To give you a brief idea, our association represents professionals within the industry, that is, people who derive their living from game fishing. We have been in existence for over 25 years. We represent approximately 100 members with about 60 boats. We have a recently documented study here by Coopers and Lybrand which shows that the industry injects \$36 million into the local economy and is a major stakeholder in the Cairns area and the Cairns fishery.

For many years, we have existed to represent owners of vessels and industry members. We have attended Department of Transport meetings and marine parks. We have helped set up a lot of the marine parks. So we have had a good rapport with a lot of the associations and government bodies over the years. We are, however, a little bit dismayed with our situation with AFMA. We have tried to be as helpful and offer as much assistance as we can in this area of management.

We were asked to send submissions, and we did so. I think that, of the 50-odd submissions that were sent, 94 per cent agreed with a common goal: further research; do not open up any more of the fishery; try to maintain the existing licences; and try to keep everything as it is until we have more information—not the 1980 logbook data.

We sent that information to AFMA, acting on some concerns we had, and, unfortunately, that is a confidential document which has now resulted in legal action. So obviously we are not too happy in respect of the assistance we have tried to give to AFMA.

A lot of the decisions that AFMA has made—I will not go on too much about this—have had a fairly damaging effect on this industry. There is a lot of lack of consultation. There has been a lot of input by our association and we have given a lot of time, and we feel that a lot of it has been disregarded. Of course, that concerns us. It was one of the first industries in Cairns and, as documented in this Coopers and Lybrand report, Cairns is an \$800 million a year marine based tourist industry. We, being very much a part of that,

were very concerned when AFMA made some decisions that have affected us.

We have basically tried to cover everything in our original submission. I will not go into how we came to find out about AFMA by chance and what has happened along the way, but the topic of licensing seems to have been raised quite a few times. I just want to clarify one point and then we will go into questions. At the present time, we are in a situation where we actually pay six sets of licence fees. We have been approached by AFMA, and we were quite receptive to their thoughts and ideas on a federal government licence, perhaps, or a permit, which was what they mentioned to us.

We feel the contribution from our industry is a significant dimension, in that \$620,000 is all that the commercial sector provides towards AFMA as far as fees go. So it is not a huge amount of money. Each individual operator has six or seven permits, depending on their wide-ranging types of activities. They pay the Queensland government for the permits, through QFMA to the Great Barrier Reef Marine Park Authority. There is an environmental management charge of \$2 per head for survey fees, there is a licence to be a captain and membership of various associations. So we are significant contributors, each member contributing well over \$2,000 each year to various associations—and happily doing so to have the input in management.

To finish off, our goal, basically, is the protection and utilisation of the species; they are there for generations to come. We are very much concerned about the status of all fish stocks. We want to be very much involved in the management and in the research. We seem to keep getting this short-term exploitation trend which has been portrayed by AFMA. Firstly, as fishermen and, secondly, as businessmen, we are concerned about the situation down the track. We all have children, we will all have future generations: I think protection and a little bit of a precautionary approach is what is needed in this management, because we do not have enough statistics and figures to guide us through what we already have.

CHAIR—The Coopers and Lybrand study that you referred to in your opening statement: do you wish to table that for this committee?

Mr Craft—That is a spare copy, if the committee would like to read through that. It has quite a lot of information regarding the game fishing industry.

CHAIR—Yes, we will accept that. We will move a formal motion about that later. You have mentioned that you pay six sets of licence fees. Who do you pay those to?

Mr Craft—The Great Barrier Reef Marine Park Authority is basically the main authority we deal with. We put an enormous amount of time and effort into meetings with various industry members. That ranges, depending on the number of people you take—it can be quite extensive for some of the bigger operators. Of course, on top is that is an EMC—an environment management charge—which is a contribution towards research. Just briefly, we have also been very much involved in the effects of line fishing on the Barrier Reef.

Secondly, there is QFMA, as mentioned before. There were approximately 230 licensed charter fishing vessels. All our members are members of that QFMA licensing program, which recognises members of our

industry as licensed charter fishing operators, not as recreational fishermen. Of course, there is the survey: we must carry a survey on our vessels to carry passengers. It is quite extensive. That is with the Queensland Department of Transport. Then we have memberships of associations which we must be members of; they are associations along the lines of a union. It is the only representative association we have. We must also carry a master's certificate, which is renewable with the Queensland transport department. We have memberships of various associations which can range up to \$400.

CHAIR—You said in your opening statement that your association wants to be involved in the management of and research in your fishery. Do you see the best way of achieving that involvement as having a greater participation in the MAC? How do you want to achieve greater involvement in both management and research?

Mr Craft—The MACs are a good vehicle to use. The other thing that could be used, if we are interested in going down the track of licensing, is to be more involved and have more representation on MACs. We found that what happened with the MACs before was that ECTUNAMAC made key recommendations, many of which made good sense ecologically and economically, but they did not seem to be heeded by AFMA. If we could have more input via, say, a new advisory body put together to perhaps help change some of the restrictive legislation that AFMA has, that would have better effect—a new body to look at the various problems in each area.

Fisheries are not a static thing. You cannot say, 'This is this problem here and this is this problem here.' If a new body was formed—whether it is a MAC or a new advisory group—it could help look at each individual area and how it is affecting the different stakeholders. There are different stakeholders in each area. With 30 years in the Cairns area we are significant stakeholders. We do have a right to that fishery.

CHAIR—Why would you put forward a suggestion to establish a new advisory body?

Mr Craft—I do not think that anyone has faith in the ECTUNAMAC body as it stood. I am not putting it down and this is not meant to be detrimental, but I do not think that there was an enormous amount of faith in how the situation came out in the end.

Mr CAUSLEY—Would you have had faith if you had got everything you wanted?

Mr Craft—No, that is not our aim at all. That is probably misinterpreting what I am getting at. What we would basically like is for all stakeholders in the areas, including the commercial sector, to have a share of what is available, to not look at the resource and say, 'You can take X amount of that' because we do not know enough about it. Obviously we are here to say that we would like to protect billfish—

Mr CAUSLEY—It is going to be a long time before you do know much about it, isn't it?

Mr Craft—It is never too late to start. One of the key research initiatives in June 1995 was to implement a research program to monitor stock structure and fisheries interaction—obviously being between ourselves and the commercial fleet. I do not think we are too far down the track with that yet, but we need to get that rolling so that we can say, 'We have a certain stakehold in this area and so do the commercial

fishermen.' We are not going to impede on their type of fishery. We have not in the past. We have 30 years of a fairly good track record. There are some initiatives and some legislation that could make both parties happy about the long-term viability of the bill fishery, not just as a business but for future generations.

Mr ANDREN—Without commenting on the legal action, which we cannot, do you believe that the publishing of that confidential submission was an indication from the ECTUNAMAC of a less than supportive attitude to your sector?

Mr Craft—I think that shows gross negligence and breach of conduct. That is my personal view.

Mr ANDREN—Do you think it was deliberate?

Mr Craft—Given that I was not there at the time, I could possibly hand that to Sue. I do not think it was deliberate.

CHAIR—I do not think that this has too much relevance to the terms of reference of our inquiry.

Mr ANDREN—I was just wondering about the support of the MAC for your sector. That is what I am trying to get at. Do you feel like you are on the outside looking in?

Mr Craft—Yes, very much so. Everyone agreed with the key recommendations which came out of those submissions in June 1995. There were some that were a bit middle of the road, but you have to negotiate. I do not think anyone wanted to compromise; neither party wanted to give in. In answer to your question, we were not contacted regarding the publication of that document.

Mr NAIRN—Having just recently introduced legislation to outlaw compulsory unionism, I was a bit intrigued that you indicated that you virtually had compulsory membership of associations. What were you referring to specifically?

Mr Craft—It is not actually compulsory, but we try to encourage everyone to be together. We are very closely associated with the Queensland Charter Vessel Association and the QGFA. I guess we are in the hot seat up in Cairns at the moment because that is the area that seems to be causing most of the management concerns for AFMA. No, it is not compulsory, but it is a sort of thing where it is peer pressure more than anything. Everyone wants to be involved and to be together in it to support one cause.

Mr NAIRN—I just wanted to clarify that because you came across as if it was compulsory.

Ms Mason—If I may add to that: it is generally regarded that if you are a member of an association, you can go on a MAC; if you are not, obviously you cannot. That is the reasoning behind it.

Mr NAIRN—It increases your prospects.

Ms Mason—You will not be a consultant to go on a MAC if you are not a member of an association—that is basically what I am saying.

Mr NAIRN—You said that you had about 100 members operating about 60 vessels, so there is part of the membership that do not actually run vessels as such. Would you explain that? Maybe the best way would be to give me a snapshot of the typical member of the association.

Mr Craft—It is pretty hard.

Ms Mason—Owners of the vessels have to be members. Deck hands and crew can be members and so can the master of the vessel, so it is not necessarily the owner.

Mr NAIRN—So it is not a business membership?

Ms Mason—No, it is non-profit.

Mr NAIRN—I realise that. However, it is a professional association so the members are out there as part of their life, but it is not a business membership of the association. It is an individual who is a member of the association?

Ms Mason—That is right.

Mr CAUSLEY—You are saying that you do not have any confidence in AFMA and its management, yet recreational and game fishing is probably outside the charter of AFMA. Do you think that that should be expanded to allow AFMA to get more involved in the management of the game fishery?

Mr Craft—I believe so. I believe that we were approached regarding licensing and being brought under AFMA's umbrella but, of course, we would like to have a good input into how that is structured so it can be successful and so it is not a 'me, me, I, I' situation. Basically, somewhere along the line we have got to come to an agreement because I do not think the current legislation with AFMA will work. I do not think it could work in any country. If you look at it, it is very restrictive, and perhaps new ideas, new MACs, and new advisory groups could be formed to provide a better input. So, yes, we would be interested in being involved financially, and we would look at that when it is put forward to us.

Mr CAUSLEY—I would be interested in your arguments about the federal government's collection of taxes. I think everyone puts that forward, no matter what industry they come from. But you talk about sales tax, and obviously there would be some fuel excise involved in that as well. What would be the average cost of a game fishing boat?

Mr Craft—To purchase?

Mr CAUSLEY—Yes, to build or to purchase.

Mr Craft—The last seven vessels that have been built have ranged from about \$550,000 to \$1.3 million. They are all documented. I think there has been an average of four to five boats built. As some older boats go out of the fleet, newer boats come in. Of course, mother ships that are built range anywhere up to \$4 million and \$5 million.

CHAIR—In their study, do Coopers and Lybrand look at the return for that level of investment?

Mr Craft—They do. They break it up into different sections. They also give you the total outlay on vessels, and they also give you the basic expenditure in each area by the tourists that visit, so it is fairly comprehensive.

Mr FITZGIBBON—That is basically contained in this document that you have tabled today?

Mr Craft—Yes.

Mr CAUSLEY—Would you have any idea as to what would be the excise paid on a vessel, and how much sales tax would be paid on equipment, et cetera?

Mr Craft—Some items are generally exempted but, as a whole, it is 22 per cent across the board, but there are other costs involved. There are some people who have just recently built new vessels who could—

Mr CAUSLEY—So all of the equipment you use to fish is 22.5 per cent, and there is the excise on fuel?

Mr Craft—Some are actually higher than that, but generally 22 per cent is across the board, yes.

Mr CAUSLEY—What sort of usage of fuel, for instance, would you expect in a year from a vessel like that?

Mr Craft—It varies.

Ms Mason—We use 100,000 litres and we pay 76.9c a litre for our fuel.

Mr Craft—To back up what Sue has just said, Quicksilver—who are not members of the game fishing industry but this would give you an idea—use one million litres of fuel a year. We are significantly involved with them in a lot of areas and associations. That is just one operator in the Cairns area.

Mr FITZGIBBON—This submission indicates that the fuel excise from that was about \$12 million in 1992. Does that come from the Coopers and Lybrand report or is that your own figure?

Ms Mason—There is currently about 33c to 34c a litre fuel excise on every litre that we use.

Mr FITZGIBBON—I will just make the comment that that is \$340,000 of excise.

Mr ANDREN—Outside area E what is the impact on marlin catching by commercial operators, do you believe? Have you got any sort of anecdotal information that we have not heard this morning?

Mr Craft—I have a brief set of figures that I have actually used straight from AFMA's document which was called *Rationale to the management of area E*. That basically sums up that in 1992 to 1995 there

has been a significant decrease in catch figures along the east coast. It shows a 57 per cent fall in the catch rates.

CHAIR—Could you identify what it is that you are quoting from?

Mr Craft—The reference is *Rationale to the management of area E*. It is an AFMA document, and it is graph 1A.

CHAIR—We will ask you to table that document, if you would, please.

Mr Craft—This is our submission. I have just taken it from that document, but I can get you a copy of it.

Mr CAUSLEY—Would it be fair to say that, if you are going to rely on documentation such as that, it needs to be over an extended period of time to have any relevance?

Mr Craft—I agree, but these are AFMA's figures.

Mr CAUSLEY—I am not arguing that point. I am just saying you need them over a period of time.

Mr Craft—That reinforces the point I made before that we really need to get cracking on this. We need to see where we are going with stock depletion and stock structures—no-one knows. It is all hearsay and all supposition. Most of the people you talk to will say that that is all 1980 figures from Japanese long-lining. There has to be better input into what is happening out there. Basically, I am using AFMA's figures, which I assume were supplied to them by CSIRO. It shows a marked downturn in our catch numbers—in answer to your question—and significant numbers along certain parts of the east coast, because a lot of these fisheries are interrelated as far as the different stocks go.

CHAIR—You are working in the industry. Have you got any suggestions to make to us as to what better methods could be put in place to make sure we are getting more accurate information?

Mr Craft—Perhaps to slow down—get AFMA to slow down and take a bit more of a precautionary look at things. Worldwide fisheries are all starting to back off. There is an increasing trend with ICAT and quite a lot of the other authorities in the United States and other countries to put the brakes on, so to speak. Until we know more, there needs to be protection of billfish, to protect not only the industry but the species. Perhaps more investigative work into the different sporting aggregations in north Queensland with the tuna and other significant factors. I think that is the basic. Let us just slow down, look at this thing realistically and see where we are going with it; instead of taking the billfish and when they are gone saying, 'Whoops, we have got a problem here.' That is what I would like to see.

Mr ANDREN—Apparently this season as been a particularly good one, has it?

Mr Craft—Not for us, no. A lot of long-liners have moved out of that. I know you are going to make the reference to Port Stephens. A lot of long-liners have moved out of that area. I am not saying that the long-liners have had a huge effect down there. But as you mentioned before, there are very strong currents

and different trends. We are going through weather pattern changes that probably will never go back to the way they were. We cannot say for sure that the fish will even stay where they were, because of different water temperatures and different restraints on various things.

In the Cairns area, we have noticed—and this is not just because they are bad and we are good—a significant downturn in the number of fish there over the last three to four years. We do not know whether that can be just seasonal. But we have main concerns that this has really got a lot of bad press overseas and that has damaged the industry. Americans are now starting to move into a very precautionary approach with a lot of their fisheries—not agreeing to any more bilateral agreements with foreign countries. They look at what we have just done and just scratch their heads.

You have had a voluntary ban on something, then lifted it and said, ‘It is pretty well take what you want, now.’ When I say we have received bad publicity, we have. It has been in quite a few newspapers. One editor of a US magazine stated the name of the member of parliament to write ‘to express your concerns in Canberra’. That did not come from us, that was a directive from them.

CHAIR—Has that bad publicity resulted in decreased numbers coming to the area?

Mr Craft—I can only quote the figures by the FNQPB, which is the promotion bureau in Far North Queensland. There has been a 10 per cent decline in actual figures over the last four years—not in general figures. They survey why people are coming to Australia and what they do here. That is fairly significant. In a lot of ways game fishing put Cairns on the international map. We are seeing a fairly big decline in numbers because people are seeing bad publicity and they are saying, ‘There are plenty of other places in the world to go. We’ll go there.’

Mr ANDREN—At the conference here last year, the ANAO report was highlighted by some of the international conservation groups and there was some bad publicity. It is one thing to criticise; it is another thing to look at constructive ways of research. Do you see any encumbrance upon Greenpeace or the World Wide Fund for Nature or whomever to be more proactive in contributing to research?

Mr Craft—I do not know how well we would fit into that category. At the end of the day we are all fishermen. We take people to fish and the commercial guys take fish to sell. It is not really all that different. We are all fishermen and we are recreational or charter based fishermen. I do not know how those other groups would come into line with what we do. Some people say that game fishing is a fantastic sport. Some people say it is a cruel sport. I tend to look at the middle of the road and say that it is a very enjoyable sport. It is perhaps every Australian’s birthright to enjoy the great fishery that we have. There is nothing more enjoyable than to see a small child catch a fish and release it and have the thrill of doing that. I do not know whether we would fit into that category.

Mr ANDREN—I guess I was not talking about value judgments. I am talking about establishing biomass and these things that seem to be such an immeasurable part of the whole exercise we are engaged in.

Mr Craft—That could be something that we explore. We would like to get involved. We do contribute to research—significantly, the sonic tagging program. All the bodies here have put some effort into

that. Basically, when a fish—a marlin or other species—is caught it is tagged with a sonic tag. It is then tracked by a vessel with a receiver on board. This gives an indication of what effect that catching has had on the fish—whether it is a significant effect, whether it feeds again, and how deep it goes. That has given us some very good information on whether the industry initiated tagging program, which has gone on for nearly 20 years, is successful or not. It backed up that it has been pretty well successful in looking after the numbers. So I think we would welcome and try to assist as much as we could anyone who wanted to assist us in that stock and biomass research.

Mr NAIRN—Just on trying to get the research better and better, in your submission you said that your method of fishing is tag and release but, in most cases these days, it is just release. So is the tagging just release without tagging since 95 percent of hooked marlin are released within minutes of the strike? Is there less and less tagging happening?

Mr Craft—I will explain what happens in that situation. The blood sport ethic has gone out of it. The ethic now is basically to enjoy and utilise the fishery and let the fish go as quickly as you can. People will bring a lot of the fish which are caught and show significant signs of injury to the boat fairly quickly and try to let them go. I am not saying there are not kill tournaments, but they are a very small part of the fishery. The majority now are moving towards release fisheries.

To answer your question directly, when a fish is significantly traumatised or is bleeding pretty badly or not looking too good, they will get the fish to the boat as quickly as possible and, without trying to grab the leader to bring the fish in closer, they will cut the line and let the fish go—the idea of that being exactly the same as what a long-liner does. If he has got a fish which is alive—I have seen guys do it up there—and still jumping around and wrecking their gear, he will just cut it. The fish will survive quite well—sometimes—with a small hook and line attached. Why traumatise the fish to get it to the boat and tag it? Then the fish is bleeding and goes to the bottom or creates a problem with sharks. That is not what this is all about. Releasing the fish in the best possible manner is what it is all about. If that involves not tagging the fish, so be it.

Mr NAIRN—But if you can tag it—

Mr Craft—By all means.

Mr NAIRN—Presumably, from a longer term point of view, the more knowledge you have of the fishery, the better.

Mr Craft—That is right. I totally agree.

CHAIR—We have covered the questions that we wanted to ask of you. Is there any issue you feel we have not covered that you want to raise briefly with us before we finish?

Ms Mason—Somebody asked if the charter game fishing industry had increased in size. According to the Great Barrier Reef Marine Park Authority—through their permit system—it has not. In fact it has slightly declined, and we noticed that ourselves. But the Great Barrier Reef Marine Park Authority can give you the

actual real figures.

Mr NAIRN—They are the professionals?

Mr CAUSLEY—Does that include both—not just game fishing but charter vessels as well?

Ms Mason—Some charter vessels are involved in game fishing through mother shipping. I am talking about the game fishing industry as such, and not so much the diving industry. QFMA figures bring in the diving industry—the bottom fishermen and all the others. I am talking about game fishing—I think that is what you were referring to.

Mr NAIRN—Yes.

Ms Mason—As far as boats and mother ships go—

Mr NAIRN—That is the professional side of it. I would also be interested—

Ms Mason—The recreational side is a different matter.

Mr NAIRN—I would also be interested in that.

Ms Mason—They are not licensed, so it is very difficult to get a handle on that.

CHAIR—Thank you very much. It is proposed to take the Coopers and Lybrand study *Reef Tourism 2005* as an exhibit. Is there any objection to that from any member of the committee? There being no objection, it is so ordered.

Resolved:

That the committee formally receive the submission of the Queensland Game Fishing Association and the Queensland Charter Vessels Association and that that submission be taken as evidence and authorised for publication.

[11.19 a.m.]

EARLE, Mr Colin Arthur, President, Queensland Game Fishing Association, Executive Member, Queensland Charter Vessels Association, PO Box 62, Caloundra, Queensland 4551

CHAIR—We have received a submission from the Queensland Game Fishing Association and have authorised its publication. Do you wish to propose any changes to that submission?

Mr Earle—No, Madam Chair.

CHAIR—Before we begin our questioning, would you like to make a brief opening statement?

Mr Earle—Yes, I would. You will all have in front of you this particular document which I have tabled today. I will make references to, in particular, the graphs and the charts in the back of that. I must apologise. I did have colour overheads but, unfortunately, they got lost in the courier system coming from Sydney. They are not available to me this morning. I apologise for that. So, at some stage, I will refer to those graphs in the back of that document.

Very quickly, there are a couple of items that I would like to bring forward very early. One is the importance of marlin to game fishing. Game fishing evolves around marlin. The growth in game fishing over the last 20 years has evolved around marlin. Nobody goes out and buys a game fishing boat or a speed boat to go game fishing without the view that he is going to go out and catch a marlin. The marlin is the pinnacle—the tap root—of game fishing. Without marlin, we do not have a game fishing industry at all at any level, least of all at a charter level. The marlin is an enormously important part of game fishing.

I have some colour logos that you may like to view. This is just an indication of the value of the marlin relative to the tourist industry and the image of some of the areas of Australia. For instance, Cairns is commonly known worldwide as the marlin coast. So the marlin is a very important and significant part not only of game fishing but a very significant part of the tourist dollar that is generated from overseas and domestically within the country.

The importance of area E—if you would like to refer to that particular chart in the back of the handout—off Cairns is the only known spawning aggregation of black marlin in the world. They do not aggregate anywhere else and spawn to the degree that they do there. What that means is that all of the juvenile and adolescent black marlin stocks that we fish right down the length and breadth of the east coast of Australia, up into the area around the Philippines, New Guinea and across into Western Australia all come from that very important area.

That is important because, without that spawning, it is very detrimental to the game fishing industries and charter industries right down the eastern seaboard. There are some 30,000 anglers on the eastern seaboard that are game fishermen, and they are all out there because of the marlin, and not always black marlin as we have a predominance of stripe marlin and blue marlin particularly down along the New South Wales coast. So marlin are very important.

Also in the back of that particular print-out is a list of all of the registered game fishing clubs on the eastern seaboard. As you can see, there are almost 50 registered game fishing clubs. The marlin are just so important to those game fishing clubs.

You referred previously to tagging. There is a tagging graph in there of the number of billfish that have been tagged by recreational anglers since the tagging program started. I might add that the tagging program we have in Australia is the envy of every other nation in the world. Nobody has a tagging program of the quality and of the quantity as we have here in Australia. It is an exceptionally good program and it has produced an enormous amount of very valuable data for scientists all over the world.

There have been a number of questions asked on the costing. I dare say you would like to ask me some more questions on that. I have an overhead that I will put up at that particular time. That is probably all of the new things that I wanted to bring up. The committee may have some questions that they would like to pose to me.

CHAIR—We certainly do. I think we would like to have a look at that overhead.

Mr Earle—There is a printed copy in the back of your handout.

CHAIR—So you do not have a different overview with costings; it is exactly the same as what is here?

Mr Earle—It is the exactly the same.

CHAIR—Let us look at some of these figures that you have produced for us. One of the controversial areas is between the game fishing side of the industry and the commercial side of the industry, and leading towards membership within the management process. With a lot of the costs that you have listed here, it could be equally argued, I think, that there are many other industries that also wear overhead costs. Can you actually explain to us what you believe is the importance between the costs that you have listed here compared with, say, the commercial fishing industry, and how your industry contributes to those export dollars?

Mr Earle—The comparison here is purely on excise and sales tax relative to the activity of our people to access the same resource as the commercial fishermen. That really gets us back to the fact that we have got a resource there, we are both stakeholders within that resource and we both contribute to government for the privilege of accessing that resource.

The commercial fishermen do it in the way of levies and the recreational and charter sector do it in the way of fuel excise and sales tax on the equipment that they use, so it is quite easy to compare. If we were utilising a different resource, then you would not be able to compare the figures, but because we are stakeholders in the same resource, we are just contributing on a different basis.

CHAIR—Let's take an example: we have heard here this morning that black marlin is ending up in fish and chip shops. A commercial fisher goes out and either deliberately or inadvertently manages to land

black marlin and that ends up in a fish and chip shop at a certain value. Members of your association and your industry go out and catch and release that fish. Have you actually broken down what the difference is in the value of the fish between a marlin that is caught and ends up in a fish and chip shop and one that is caught by a recreational fisher and is released and perhaps caught subsequent times?

Mr Earle—Yes, I have done some preliminary figures. If, for instance, you look at the heavy tackle Cairns fishery, where people come from all over the world with the sole purpose of catching a 1,000 pound-plus marlin—which is commonly known as a grander—last year, about 25 granders were caught, which values each one of those fish at about \$1.5 million. If you have a look at the total number of fish that were caught within that fishery, relative to what the fishery generated, each fish was worth something like \$50,000.

In the Port Stephens tournament, where there were a lot of fish caught this year, each one of those fish—relative to what was expended by the anglers to go and catch them—was worth about \$2,000. The value of a fish in the fish market, depending on its size and quality, can vary anywhere from a few hundred dollars to maybe a couple of thousand dollars, at best, for quite a large one. As Mr Goadby stated this morning, the price varies from somewhere around \$8 to \$10, depending on the quality of the fish. Most of those fish would probably be in the 50 to 200 kilogram range, so you are not looking at a lot of value in any one of those fish relative to the value to a commercial long-liner.

CHAIR—Over the several months that we have been running this inquiry, we have heard a number of witnesses talk, from your industry's point of view, about the lack of input into the management of the fishery. How do you want to see a greater input into the management?

Mr Earle—We are saying that we are as big a stakeholder, if not a larger stakeholder, within the resource as the commercial fishing sector. As a result of that, we are saying that we are looking to have equal or greater representation—or representation equal to our stake within the resource—at all levels of management within the fishery. That is at MAC level, at AFMA board level, where we can have a direct input in the outcome of the resource.

CHAIR—If you want that degree of representation, are you prepared to shoulder your fair share of the economic cost to become a member and a full participating member of that management process?

Mr Earle—We would love to take up dialogue with the government relative to being licensed and contributing to the cost of the administration and the management of the resource. We would not be interested in just going and paying a licence fee and having that licence fee go straight into consolidated revenue, but we would be very, very accepting of having dialogue relative to us being licensed or permitted and to those monies going into the direct cost of managing the resource. Yes, we would.

Mr ANDREN—In relation to area E you say in your submission that if AFMA was of the opinion that it could not legally put the recommendations in place then they had an obligation to ask the minister to apply for changes in the legislation. You further say that, 'One can only assume that they have a hidden agenda.' What are you getting at there?

Mr Earle—AFMA's brief is to look after the commercial fishermen. AFMA consider the commercial

fishing sector as their clients, and they are under no obligation to reflect the concerns of recreational or charter users of the resource. As such, I have got no doubt that they feel that by us having an input or suggesting that legislation should be put in place to ban the possession of certain species, then their constituents are being under threat.

Mr ANDREN—Have you got any suspicions or any concerns about the way that the 13 access permits were given to area E for long-lining?

Mr Earle—Yes. Throughout the long period of consultation this particular question has been asked of AFMA, and AFMA have never come up with a satisfactory answer. It would appear as though these additional permits have just evolved. The reason why they have evolved has never come out. There will obviously be some influences in there that have influenced AFMA to issue these permits, but AFMA have not stated what those influences have been.

Mr ANDREN—I cannot remember the exact detail, but I think there is some suggestion in here of insider trading; terms like that have been used.

Mr Earle—I do not have any specific knowledge of that, no.

Mr ANDREN—You talk about inspectors at unloading ports as an inexpensive method of fixing the problem of policing logbooks. Is that feasible, given that one would assume you would probably need them 24 hours a day on call and at every port?

Mr Earle—I think it is quite feasible, given that there are not that many ports where tuna and marlin are unloaded. It could probably apply in areas where there is a large percentage of marlin. Added to that, in the current system there is no ratification of logbook information at all by AFMA. The logbook information that we have been getting for many years from our domestic fleet is so bad that the CSIRO and other scientists refuse to use the information. We are still making assessments based on information that was compiled from a Japanese fleet back in the early 1980s, simply because the logbook information of our domestic fleet is so bad.

AFMA have to put in place a ratification system for logbook information. I would have thought it would have been quite simple to have the logbook information ratified against an unloading docket or an invoice from a processor so that when you unload you have got your logbook and you have got an invoice for the fish that you have unloaded. One needs to reflect the other. It is a very simple method of ratification of the logbook. It would be acceptable to all fisheries managers and then we could have some real information from a particular fishery to put into some proper scientific research. But until we get that logbook ratification, we are just wasting our time.

Mr ANDREN—So your delivery docket could, in effect, be your logbook?

Mr Earle—It could easily be, yes.

Mr LEO McLEAY—There has been talk about the voluntary not taking of marlin. Are there any

other commercial fishermen who actually say that they are going out there to exploit commercial fishing of marlin?

Mr Earle—No.

Mr LEO McLEAY—Do any of them say publicly that they go out there to catch them as a top-up or something like that?

Mr Earle—No. I think it would be very difficult for any one of the domestic fleet, given the media publicity that this issue has had over the last 18 months. I think you would find it very difficult to find a domestic fisherman who will say he is topping up with marlin simply because the tuna catches are low. But the previous participants today have certainly put forward proof that it does happen.

Mr LEO McLEAY—Wouldn't it be easier to resolve this argument if the Commonwealth just banned the taking and landing of marlin for commercial purposes?

Mr Earle—Absolutely. That was the recommendation of ECTUNAMAC after its lengthy and expensive consultation period. Its recommendation was that all billfish except broadbill should be a non-possession species—

Mr LEO McLEAY—Would that satisfy your organisation?

Mr Earle—Absolutely.

Mr LEO McLEAY—Why do you think that was not implemented?

Mr Earle—The ANAO report indicated that AFMA's legal advice from the attorneys-general and other legal bodies was flawed to some degree and, in their opinion, AFMA did have the power to implement that recommendation of the MAC. I think if AFMA have one fear, it is of legal action. I think the act governing AFMA is so loose that anything they do that would restrict the participants at all would very quickly bring legal action. I think AFMA are quite scared of the fact that they would have legal action brought against them, because I do not feel that they have either the will to want to win it or the power to win a legal action that would be brought in a case whereby they implemented that ECTUNAMAC recommendation.

Mr LEO McLEAY—When the voluntary ban was on, was there an improvement in the availability of billfish along the coast?

Mr Earle—No. I can quickly refer you to a graph in the handout. It is just very unfortunate that it is not in colour and I have not got the colour overhead.

Mr NAIRN—Can I ask you to explain what it means?

Mr Earle—I can very quickly run you through it. The very high peak is where there was all the

Japanese activity in area E back in the early 1980s. The line below that, that has a steady increase up through until the mid-1980s, is the black marlin tagging. You can see that, in the early 1980s when the Japanese were kicked out of area E, there was a huge decline in the number of black marlin that were captured by the Japanese. At the same time, there was a very steep increase in the number of black marlin that were actually tagged and released by the recreational charter industry.

You have got the next peak from the Japanese in the late 1980s, which is when they moved down and were fishing off the Townsville trench and that legislation was extended to ban them from that area. But you can see that, as their activity regenerated, the tagging numbers of the recreational charter sector declined as a mirror image to the effort of the long-lining.

Back in the mid-1980s, the domestic fleet started to fish and in the early 1990s we had a high peak of tagging by the recreational charter sector. But alarm bells should be ringing at AFMA because, if you look at the last three years of that graph, the catches of black marlin are in absolute free fall. There should be loud alarm bells ringing.

Mr LEO McLEAY—Do we still have a ban on international fishing of marlin in Australian waters?

Mr Earle—I believe the current arrangement with the Japanese is that they release all blue and black marlin.

Mr LEO McLEAY—Is that a legislative requirement or is it just an arrangement?

Mr Earle—I could be wrong but I believe that is part of their current arrangement.

CHAIR—Mr Earle, could you just tell us where these figures have come from?

Mr Earle—Yes; these are figures produced by AFMA in the supporting documentation to their review of area E.

Mr NAIRN—So the Japanese are reporting the number of black marlin they catch, theoretically, as a bycatch? The tags come from the professional industry who are using tags—

Mr Earle—The tag numbers come from the New South Wales Fisheries Research Institute, which compiles all the tagging information for the whole of Australia.

Mr NAIRN—So this also sort of backs up the comment by the previous people that less and less marlin are being tagged, that they are being caught and released. Not necessarily that they are not being caught, because they said, in the evidence given just previously, that a lot more marlin are just being caught and released without being tagged.

Mr Earle—That needs a little clarification. The heavy tackle Cairns fishery is the only marlin fishery where a proportion of the participants are releasing without tagging. Everywhere else on the east coast, there is no free release at all. All the fish are tagged. I would hazard a guess that probably only around 20 per cent

of the operators in that Cairns heavy tackle fishery are actually free-releasing some of their fish. Those free-release fish are fairly minimal numbers.

Mr NAIRN—The drop from 1994 to 1995 is so large. That is why we asked the questions about the accuracy of the figures—it went from 715 to 77.

Mr Earle—Those numbers are reflected in the results of the charter industry. They are reflected in the results from the game fishing clubs in Queensland and New South Wales. Those figures are very accurate.

Mr CAUSLEY—Could there be a difference between tagged and hooked? I ask that because evidence given previously indicated that it may be that some of them are caught and just cut loose and not tagged.

Mr Earle—That is a minimum number of fish. That practice is being operated by very few participants.

Mr CAUSLEY—What about the domestic catch? Where do you get those figures from?

Mr Earle—From the same documentation—the supporting documentation for the area E review that was put out by AFMA.

Mr FITZGIBBON—What is the international experience? Is there evidence to show that, where in other countries a legislative ban has been placed on a commercial catch, the recreational catch has increased?

Mr Earle—Absolutely. There are any number of places around the world—and I could cite New Zealand, Venezuela, Mexico—that have had marlin fisheries where there has been an interaction of long-line tuna fishing and recreational and charter marlin fishing. Unfortunately, in most the charter fisheries have depleted to next to nothing until such times as there has been a legislative ban put on the taking of marlin. Marlin is a very resilient stock. It only takes three or four years and those stocks tend to build up quite quickly. The very valuable recreational and charter industries revive quite quickly.

Mr CAUSLEY—Following on the comment about the decline in stocks, you have placed a very big emphasis on area E, and in previous evidence it was said that it probably contributes to world stocks, not just Australian stocks. If we were serious about this black marlin industry, would we not declare that area a sanctuary?

Mr Earle—I think the recreational and charter sector has proven over about 40 years of activity within that fishery that we have been able to fish it more than sustainably and that we have done very little damage to those particular fish. That is reflected in these graphs that mirror the activity of the long-line industries, that after the stocks have been depleted, even with our activity, those stocks have still regenerated upwards again.

In area E, for instance, all long-lining activity needs to go totally. That was reflected by the Japanese back in the 1980s. There has been an enormous amount of fishing done in there since, and those same sentiments today should be reflected and should be legislated. All the fishing in area E should go.

Mr LEO McLEAY—Do you mean all the fishing or all the landing?

Mr Earle—All commercial long-lining activity in area E should go.

Mr CAUSLEY—That is rather a selfish attitude, is it not? Shouldn't you all get out?

Mr Earle—No, because we rely on those stocks in other areas within Australia. The tourist value of the recreational and charter sector within that heavy tackle fishery is enormous, particularly if you compare it with the value of the long-line industry within area E. It is only a pittance.

Mr CAUSLEY—You cannot have it both ways. You argue on one side that it is a spawning area. You say it is important to the whole world resource.

Mr Earle—That is correct.

Mr CAUSLEY—If it is so important, then it should be a sanctuary.

Mr Earle—I am saying that the recreational and charter sector has not had any impact whatsoever over 30 or 40 years of fishing, and it has demonstrated that that fishery has recovered, even with our activity, after a huge amount of commercial fishing pressure. So 95 per cent of all the fish up there are tagged and released. The mortality rate on those fish is virtually nil. The sonic tagging has proved that the mortality rate is next to nothing on fish that are caught on rod and reel. So we are not having an impact on the fishery.

Mr LEO McLEAY—If there were a ban placed on the commercial fishing of marlin, is it easy for the commercial people to comply with that by setting hooks at different levels and so on, compared to marlin, which are surface fish? If there were a ban, would that be putting a heavy burden on the commercial fishers, or is it something that commercial fishers could comply with relatively easily?

Mr Earle—There is any amount of documentation that would indicate that the long-lining industry has more than sufficient technology to be able to set their long-lines in a manner that will catch virtually no marlin. We have no doubt that if there were a possession ban on marlin they would use their technology and not catch them.

CHAIR—Mr Earle, can I just go back to these figures here. I have just done a rough calculation comparing 1994 with 1995. If you add the total number of fish that were tagged, the Japanese catch and the domestic catch, for 1994 you get a total of 1,908. The total for 1995 is 359, if my maths is correct. Judging by that rapid fall off in those figures there, I am amazed that the industry is still viable.

Mr Earle—I think our charter industry is at a stage where it almost is not viable.

CHAIR—Does that mean a lot of people have left the industry? Are there still the same number of charter boats operating?

Mr Earle—The number of operators this year will be down on last year. The number of days that are

booked for this year is dramatically down on previous years and—

CHAIR—How many charter boats would have left the industry?

Mr Earle—There would be three or four that I know of that have left the industry. There are probably another half a dozen that have fished in the Cairns area for a number of years that will not be going back to fish Cairns this year. Captain Ferguson, who was here earlier today, at this point in time would normally have firm bookings for that heavy tackle season in the order of 90 to 100 days; he currently has 20.

Mr NAIRN—Can I just add to that that it is even more dramatic if you add up back to, say, 1985 when the first domestic ones are shown. You are virtually looking at an average of about 2,500 a year, with a range of only a few hundred—it has gone over 3,000 and down to just over 2,000. So it has been pretty consistent from 1985 to 1994—between 2,000 and 3,000 with an average of about 2,400, I think—and then down to 359. That is why I am still sceptical about some of these figures. That sort of change is just so dramatic. You can have consistency for 10 years and then—wham!

Mr Earle—I can give you a quick example from my own experience running my charter boat. We operate out of Mooloolaba for nine months of the year before we go to Cairns. My average catch of black marlin in the years from 1988 through to about 1992 was in the order of 50 to 70 marlin for the season. In 1995 I caught one solitary marlin for the season. In 1994 we had 12 for the whole season. My experience is reflected in those figures. That graph should be ringing alarm bells as big as a cathedral to AFMA.

CHAIR—We have exhausted our supply of questions to you at this stage. Is there an issue we have not covered that you would like to raise with us?

Mr Earle—I do not think so, Madam Chairman. I think we have covered most of the areas fairly well. In conclusion, I would like to appeal to the committee: as a stakeholder, we need representation in the resource, and that can only come about by giving us a greater say in the management of that resource—through the MACs and the AFMA board. For the industry to survive long term—so that our children and grandchildren can participate in the magnificent sport that we are in—we need total protection of all the billfish around the country. I thank you for your time today.

CHAIR—Thank you.

[11.57 a.m.]

WILLIAMS, Mr Michael Griffith, Secretary, P and M Williams Enterprises, 98 Irene Street, Mooroolooloolo, Cairns, Queensland 4870

CHAIR—Welcome. We have received a submission from you and have authorised its publication. Do you wish to make any changes to that submission?

Mr Williams—No.

CHAIR—Before we begin our questioning, would you like to make a brief opening statement?

Mr Williams—Yes, I would. I thought I was coming here to sit in on a discussion about AFMA and its management program, but I find we are bogged down again with the game fishing lobby. I thought this was all resolved in the meeting in Cairns when AFMA made the statement that the scientific evidence proved that black marlin and blue marlin were not under threat. Most of the problems that my brother and I—

CHAIR—What we have been hearing has certainly been within the terms of reference of this committee of inquiry and, just as I have allowed everyone else to have their say, I now invite you to have your say.

Mr Williams—I suppose it is part of the issue, because most of the problems we have suffered are from AFMA not being able to do their job because of the pressure being applied to them by the lobby groups for the game fishing and charter boat associations. They seem to have a strong voice—which is fair enough—but, because of the amount of pressure that is being applied, AFMA have not been able to do what they should, which has caused us the problems we have experienced over the last two years.

CHAIR—Would you like to briefly describe to us, as an individual fisherman without a position on the MAC, what input you have been able to have in the decision making process?

Mr Williams—Probably none.

CHAIR—What problems have you encountered?

Mr Williams—I believe we have been given misleading information by AFMA staff when we originally tried to get into tuna fishing in Queensland. We are Queensland fishermen. We were originally involved in the prawn fishery and there was not actually a tuna fishery in Queensland. As it has been developed, it has gotten to a point where Queensland fishermen had their own representative, the QCFO, which was supposed to stand in with AFMA on a tuna MAC. We all thought that in any decisions that were being made, seeing that the fishery, particularly area E, was adjacent to our Queensland state waters, we would get fair representation if there was going to be any changes or management programs put in. That did not happen. QCFO did not do the right thing by Queensland fishermen, which left us to try and get access to area E on our own, and we had a lot of trouble even getting to the discussion point with AFMA.

Then we found that we were given misleading information. It appears now that a lot of that was because of the fact that AFMA was under a lot of pressure to keep the boat numbers at a minimum. For what reason I really do not know, because, as I say, their own scientific evidence proves that the marlin fishery is not under threat, yet that is the main reason that we were denied access. As a result of that, I have had to leave Cairns and leave my family there and I am now fishing out of Mooloolaba, because we could not gain access to area E. We had to work outside the zone. A lot of people do not realise how big it is. It is 55,000 square miles of water. It is 200-odd miles wide just to go outside the area. Economically, it just is not viable. Yet, while we were trying to get access, other boats did get in. We find that hard to understand. It would appear now that AFMA took the stance that they would do or say anything to stop anybody trying to get access, and I think it is mainly because of the pressure they were put under.

CHAIR—What changes in the management process would you like to see implemented?

Mr Williams—The marlin fishery is obviously the main concern of the Game Fishing and Charter Boat Association, and rightly so; that is how they make their money. But what they are not saying here today—one fellow did mention that they have got different currents and everything, weather conditions are different. There are a lot of reasons that the marlin are not just off Lizard Island, where these people usually like to go and catch them. Therefore, I find that they are blaming everyone else for the fact that their fishery—I would not say it is in a decline but it is not as easy to do what they were doing before, and they tend not to like to have to travel too far. They have not got the boats to do it and people do not want to go long distances to sea to catch marlin.

Management-wise, if AFMA looked at it seriously and believed the information that they have, I do not think they would have let this issue that we have been talking about this morning get as big as it is. It is a very emotional thing and it sort of clouds everything else. The scientific evidence is there and they do not seem to be taking any notice of it.

Mr LEO McLEAY—If someone banned marlin catching commercially, does that have any effect on the tuna boats?

Mr Williams—It depends what you talk about. Mr Earle started talking about billfish. Marlin are not the only billfish. Striped marlin are a commercial fish; they have a value. Blues and blacks do not. So there is no point in us catching them or trying to land them for sale. But striped marlin do and broadbill swordfish do. It is not as black and white as they would like to make it out to be. Personally, and as far as I know from most of the people that I work with, no. We are not catching and unloading blue and black marlin now, so it would have no effect on us commercially.

Mr LEO McLEAY—With your experience as a fisherman, if the government banned the taking of marlin, would they be able to reopen area E? If area E was closed because of the marlin, if no-one is allowed to take marlin any more—

Mr Williams—There are lots of things they could have done. They know when the spawning season is. If there was a closure in area E for that time, but a total closure, like no recreational charter boats and no long-lining for marlin, I suppose that would help.

If they were to ban the catch and sale of blue and black marlin and by doing that they opened the area up to more boats, I could see that as being an advantage, because at the moment, like I said, there is no blue and black marlin being taken in area E for sale, so it will not have any effect on the commercial fleet. But what you have got now is that the way AFMA have decided to manage the fishery is total exclusion, other than the 13 permits.

Mr LEO McLEAY—You say that people with some of the permits are beating up this marlin issue?

Mr Williams—Yes. It would be an advantage, wouldn't it, if you had more than half the permits. It would be an advantage if that was the way that you could keep other commercial operators from getting in there. That is the way I see it.

Mr CAUSLEY—Could I explore your particular problem. You said you were a prawn fisherman in the past?

Mr Williams—That is right.

Mr CAUSLEY—Why did you get out of that fishery?

Mr Williams—No, I haven't. We still have a prawn boat.

Mr CAUSLEY—You didn't get a package?

Mr Williams—No. What we wanted to do was to diversify, which we did, and at the time we decided to do it there were two or three boats operating out of Cairns. It was a better lifestyle for us. Prawn fishing has changed a lot over the last 20 years and it is harder to do as you get older, but the lifestyle for tuna fishing was better: shorter trips, and it was out of our home port. So we looked at it as—

Mr CAUSLEY—So you just decided that you would change?

Mr Williams—It was a good idea at that time to diversity into that fishery.

Mr CAUSLEY—Why did you believe that you could get a licence?

Mr Williams—Because at that time the fishery was still in flux; there was nothing set at the time we started to negotiate. What happened to us was that in the prawn fishery in Cairns, the fishery we work, there is a seasonal closure and it opens on 1 March. In order to be on the grounds by 1 March you have to leave before then because it is three or four days steam. Whilst we left and were away for the six weeks AFMA brought in the total closure in area E and we missed out.

Mr CAUSLEY—So you went ahead and bought a tuna boat without a licence?

Mr Williams—No, that is not true. We were told that we would never be able to get an area E permit without a tuna long-line endorsement, which we set out to buy, and that wasn't easy to do, because at the

same time we were looking to buy one AFMA decided to let Western Australian fishermen buy tuna long-line permits off the east coast to start a fishery in Western Australia. So that created a demand that had not been there previously and we found it difficult to get a licence. We eventually did get one, but at the same time we were getting into it and building this boat another operator in Cairns was building two vessels at the same place and he did not seem to have any problems worrying about whether he was going to get a permit, and he did get permits for those two boats, yet we didn't.

Mr LEO McLEAY—Why did you think that was?

Mr Williams—One of them I do not know, and the other one a licence was transferred before transferability came into place.

Mr LEO McLEAY—What does that mean?

Mr Williams—Area E permits were not transferable at the time. One of the situations we got into was I had a friend who had a boat with an area E permit and he offered it to us for sale. Before we took it on we rang AFMA and were told by Dorothea Huber that if we bought that vessel the area E permit would be cancelled immediately because they are non-transferable. That vessel was later sold to another person and as far as I know the licence went with it. She admitted, maybe eight months down the track, that at the time she told me that she would cancel that permit, legally she couldn't. But the statement was made which stopped us on that purchase, and that happened on another occasion as well.

Mr LEO McLEAY—Did you do anything about that?

Mr Williams—No. I asked them why it happened but I got nowhere with it.

Mr CAUSLEY—Are you saying you got advice twice from AFMA that you could not transfer—

Mr Williams—On two different vessels, that if we did purchase the vessels the permit would be cancelled, but that was before they became transferable.

Mr LEO McLEAY—But other people were allowed to purchase vessels—

Mr Williams—The boats were sold and those permits are in the fishery again, yes.

Mr LEO McLEAY—Were they allowed to purchase those vessels at the same time that you were told the permits would be cancelled?

Mr Williams—Basically. I do not know how they did it, whether they did them on a lease arrangement or what, but it was done that way.

Mr LEO McLEAY—And you did not get unhappy about that and write letters to AFMA or ring people up or complain?

Mr Williams—I made many, many phone calls, but to no avail.

CHAIR—You got no response from AFMA?

Mr Williams—I would not say no response but it was the same answer every time: ‘We are terribly sorry but the pressure is so great on us to keep the numbers at 13 that we can’t do anything for you.’

Mr CAUSLEY—You are saying you applied before the numbers got to 13?

Mr Williams—No. The cut-off date happened whilst we were at sea and we were unable to do anything about it. We wrote a submission and detailed what had happened and how we had gone about it but we were told that our case was not unique. It went before the review board but it was knocked back.

CHAIR—But you had made inquiries to AFMA before you went to sea for that six-week period?

Mr Williams—Yes, but in that time everything got rolling and the closure was put on.

Mr LEO McLEAY—At the beginning of this, you said that you had asked AFMA could you purchase a boat and transfer the licence.

Mr Williams—That is correct.

Mr LEO McLEAY—And they said, ‘No, the licence would be cancelled.’

Mr Williams—That is right.

Mr LEO McLEAY—And then you said that another person was able to purchase a licence at that time and it was not cancelled.

Mr Williams—No. He purchased a vessel and, to my knowledge, the licence was not cancelled.

Mr LEO McLEAY—He purchased a vessel with a licence at the same time?

Mr Williams—That is right.

Mr LEO McLEAY—This is the same vessel that you were told the licence would be cancelled?

Mr Williams—That is right.

Mr LEO McLEAY—That is a pretty serious charge to make. I am sympathetic to you. If you say that is a fact, then that is probably something that this committee should look at, because what you are saying is that you approached a person in AFMA in Cairns—in Cairns, I assume?

Mr Williams—No, I rang Canberra.

Mr LEO McLEAY—And said that you want to purchase a boat with a licence, and they told you that that licence would be cancelled if you bought the boat.

Mr Williams—Because at the time they were not transferring.

Mr LEO McLEAY—So you did not do it. Someone else purchased the boat with the licence and the licence was not cancelled.

Mr Williams—That is right.

Mr LEO McLEAY—If some public servant has allowed that to happen, then they have very significantly put you at a disadvantage.

Mr Williams—That is why I am in Mooloolaba, and I lived in Cairns.

Mr LEO McLEAY—And have significantly advantaged someone else.

Mr Williams—I would not know that it advantaged them, but they managed to do something that I could not do.

Mr LEO McLEAY—If they got a licence when you could not get a licence, it has advantaged them and disadvantaged you, hasn't it?

Mr Williams—I suppose so, yes.

Mr CAUSLEY—Could I clarify that a little bit further, just to make sure that we have got it right? You have said that if you bought this boat and transferred the licence to your new boat—

Mr Williams—No, at this stage we had no new boat.

Mr CAUSLEY—So you were prepared to use that boat?

Mr Williams—Yes. But it became unattractive when we were told that the licence would be cancelled.

Mr LEO McLEAY—Did you ever say to AFMA, 'Why did you allow Mr X to purchase the boat and keep the licence and tell me that if I purchased the boat I would lose the licence?' Did you ever ask them that?

Mr Williams—Yes.

Mr LEO McLEAY—What was their answer to that?

Mr Williams—I did not get a very satisfactory answer.

Mr LEO McLEAY—What was the answer?

Mr Williams—No.

CHAIR—So you cannot actually verify—

Mr Williams—No, I can only tell you what happened. I can tell you that at a later date I was told by the manager that at the time I was told I could not purchase that boat, she then found out later that legally she could not have cancelled the permit.

Mr FITZGIBBON—Did you seek legal advice?

Mr Williams—Yes, we spent a lot of money with a solicitor. It got down to a point where it was either try to take AFMA to court or walk away from it. We walked away; we just ran out of money.

Mr FITZGIBBON—I suggest you had a very good case to take them to court.

Mr Williams—Probably, but we ran out of money. In the time when we started this boat, the boatbuilder went into liquidation halfway through the boat and one thing led to another, and we just were not in a position to do any more.

Mr FITZGIBBON—Are you telling me you built a boat on reliance of the advice that you were likely to be able to use that boat for those purposes that you had intended?

Mr Williams—Yes.

Mr FITZGIBBON—So you relied, to your detriment, on their advice?

Mr Williams—We knew we were taking a risk in so much as we did not have an area E permit for that vessel, but we believed, from what we were being told by AFMA, that down the track we would get an area E permit or there would be—

CHAIR—Was any of that advice in writing?

Mr Williams—As far as I know, there is a letter saying that they were talking about issuing three more permits to Queensland fishermen that may have not been given the opportunity to get into area E. You have got to understand Queensland fishermen were not tuna fishermen. Queensland has been a prawn fishery and a scallop fishery. This fishery has been developed outside the Barrier Reef, and we relied on the QCFO, which is our own organisation, thinking that they would negotiate with AFMA on who would get access and who would not. But, as it stood, the QCFO walked away from it.

Mr LEO McLEAY—Going back to this original official who told you that if you purchased this boat with the licence the licence would be cancelled, what was the position of that official? Was it just someone who answers the phone?

Mr Williams—Management of the East Coast Tuna Fishery.

Mr LEO McLEAY—What was the name of the person?

Mr Williams—Dorothea Huber.

Mr LEO McLEAY—And what was her—

Mr Williams—She is the manager.

Mr LEO McLEAY—The manager of the East Coast Fishery?

Mr Williams—Yes.

Mr LEO McLEAY—She is the person who issues licences?

Mr Williams—No, she manages the fishery. She does not issue the licences.

Mr LEO McLEAY—She is the person who cancels licences?

Mr Williams—She told me she would, yes.

Mr LEO McLEAY—But is she in a position where she can? Does that person cancel licences?

Mr Williams—I suppose she could have, yes. She is the manager.

Mr LEO McLEAY—And she is located in Canberra?

Mr Williams—Yes.

Mr LEO McLEAY—And the person who got this licence, have they got any other licences?

Mr Williams—I do not know where the licence went to because the boat was sold. I do not know actually who did buy it. They do not tell you who owns what licences.

Mr LEO McLEAY—But someone else bought this boat you were going to buy, and they use this boat now to fish for tuna?

Mr Williams—No, the boat has gone now. The boat has been sold into another fishery.

CHAIR—Mr Williams, would you be able to provide us with a time line of when these events took place and any substantiating material that you would have to support your case? If you provide that information to this committee, we will investigate that further on your behalf. And if you could do it as quickly as possible.

Mr Williams—The only problem I have got is my brother is in Cairns. He has got most of the paperwork that we had then.

Mr LEO McLEAY—We do not need it today.

Mr Williams—No, but I can get on to him and see if he can organise it.

Mr CAUSLEY—Could I just pursue one point, Madam Chairman?

CHAIR—Yes.

Mr CAUSLEY—You mentioned you ran out of money and you walked away. It was your opinion then that AFMA or any other government department had unlimited taxpayer funds and you could not fight that?

Mr Williams—Basically, yes. We went through two review committees and got knocked back. I think we spent something like \$15,000 with a solicitor on letters of all sorts of description trying to get through the review committee, and we just could not spend any more.

Mr CAUSLEY—And the only person you could appeal to was the person who made the decision in the first place?

Mr Williams—No, that is not true. The review committees are a separate thing and they put on non-biased people who have got nothing to do with it, but we still got knocked back on the review committees. I honestly believe now that the reason we got knocked back is because of the problems that AFMA is having over area E with the game fishing lobby and the marlin issue. I was told repeatedly that it was too hot, the whole thing there was too hot, and there was no way they could issue any more permits. And that is basically where it all ended. As a result of that, we just could not survive with that boat in Cairns any longer, so I have had to move to Mooloolaba.

Mr LEO McLEAY—Are people who are fishing that area E fishery landing marlin?

Mr Williams—Not that I know of. I did not see any come off boats up there whilst I was there, and I did try and operate in the area for the first six months of last year.

Mr CAUSLEY—Have you caught them?

Mr Williams—The ones we caught we let go, yes, but we did not catch any significant amount. I would say you could probably put the figures in the low six to, say, 10 fish, and they were all released.

Mr CAUSLEY—All alive?

Mr Williams—Most of them were alive. I won't say they were all alive.

Mr CAUSLEY—When you say most—

Mr Williams—I would say eight out of 10 would have been alive. They were not all black marlin and blue marlin, though; the majority were striped marlin, which I did not realise at the time were commercially viable so I did not keep them, but had I known what I know now I would have, and I would have unloaded them in Cairns and I would have sold them to Japan.

Mr ANDREN—You are suggesting, I gather, that the marlin crisis was a very convenient excuse to maintain a closed club arrangement in area E?

Mr Williams—Exactly. That is the way I see it. I would not say it was instigated by the operators wholly and solely, but I think AFMA looked at it and thought, ‘Well, this is going to be a very hard thing to do to put more boats in there, but the marlin issue makes it easy for us to keep everybody out.’

Mr ANDREN—And you say here that one of those people who accessed that told you that they were not particularly worried by the kerfuffle—

Mr Williams—That is correct.

Mr ANDREN—If there was any more access it would be theirs?

Mr Williams—Yes.

Mr ANDREN—So, did you ever make any suggestion of a balloting or anything for these permits? Did you go to AFMA and ask why it was not there?

Mr Williams—We were told in the beginning when we first made inquiries that it was a pool of 13 permits and, as boats came in and out of the area, the permits could be taken up by people who were interested. We found out later on that that was never the case.

Mr LEO McLEAY—Just one last question. You say in here that you think that some people have advance knowledge and access to information that other fishers do not. Could you amplify on that a bit?

Mr Williams—It is only a feeling that I had, but I know one operator was building two boats at the same time as I was when licences were not transferable. That gave me a fair bit of encouragement thinking that the fishery was going to be opened up, but he got licences for those boats and we did not.

Mr LEO McLEAY—Is there a pattern of that happening in area E?

Mr Williams—I would not say there was a pattern of it, but area E is a place where it could happen. You have a situation now where you have one operator who has got six out of the 13 licences. That in itself is a bit odd.

Mr CAUSLEY—Did they buy them?

Mr Williams—Originally I do not know what happened to the first two. They were a permit that was issued—

Mr CAUSLEY—But since the amalgamation of six, has that operator bought those licences?

Mr Williams—The latter part of it he has, yes. But originally I do not think so; they were issued as permits.

CHAIR—Could I ask you a question? The person who got those licences that was building the two boats and you did not get the licence, did that person have any influence at all on the local MAC?

Mr Williams—Yes, I think so. I know for a fact that he had a meeting with the AFMA representatives before the meeting that we had in Cairns, which struck me as a bit strange as well. Nobody else was invited to sit down to a private meeting.

Mr FITZGIBBON—Your letter to Mr Steve Jackson in March expressing interest in those licences, was that ever responded to, do you know?

Mr Williams—Yes, I rang him and spoke to him on the phone.

Mr FITZGIBBON—But it was never responded to in writing?

Mr Williams—Not that I know of.

CHAIR—Thank you. I think we have covered the questions that we have wanted to ask of you. Mr Williams, is there any other issue that you wish to raise with us before we close?

Mr Williams—I would just like to say that I believe AFMA has got a huge job, but I think the problem that they are suffering from is that there is too much outside influence clouding the issues. They cannot really get to what they are supposed to be doing, which is protecting the resource and managing the fishery because of the outside issues, and there is a lot of misinformation being put around—a lot.

CHAIR—Thank you very much.

[12.23 p.m.]

ROWLEY, Mr Michael Hebborn, Managing Director, Fortuna Fishing, PO Box 933, Mooloolaba, Queensland 4557

Mr Rowley—I am a long-line tuna boat operator on the east coast of Australia.

CHAIR—Thank you. We have received two submissions from you and have authorised publication of both. Do you firstly wish to make any changes at all to either of those submissions?

Mr Rowley—No, Madam Chair. I would sincerely like to make a further submission to you prior to your closing your inquiry covering events that have happened of late.

CHAIR—You want to make another written submission to us?

Mr Rowley—Yes, but I need a little time to be able to put that submission together.

CHAIR—As you will appreciate, this committee has been hearing submissions now for almost 12 months. We are due to hold our last public inquiries tomorrow. We can give you some leeway.

Mr Rowley—Perhaps 10 days.

CHAIR—Yes, that is fine. You get that written submission into us within 10 days. Before we ask you any questions, would you like to make a brief opening statement to us?

Mr Rowley—There are so many things that have come across the table this morning that I have heard which are misinformation.

CHAIR—We will just take them one at a time. We are here to listen.

Mr Rowley—The voluntary ban on—

Mr FITZGIBBON—Sorry, I thought you were about to say a lot of that information was misinformation.

Mr Rowley—Misinformation. Yes. There has been a lot of misinformation entering into the discussion between the long-line industry and the recreational or game fish industry. Firstly, I, together with Peter Goadby, who was the icon of the game fishing industry in this country, put together the voluntary ban on the taking of black and blue marlin. We did that on the basis that the industry had no interest in the fish. The fish were of no value. We did not have a domestic market for the fish. We did not have an export market for the fish. The only fish that we had any interest in whatsoever were the striped marlin—and that crossed their boundaries very slightly because their industry is not based on striped marlin—and broadbill swordfish. Broadbill swordfish they have had no interest in and no ability to catch in the past years. It was a very good agreement where their piece of the pie was for them and they left us alone on the other side of the

fence.

In the years there have been a few of these black and blue marlin landed. There is no question about that. There have been. But it is a very small number. The ability of the long-line fleet to actually catch these fish is extremely limited. You will see from the CSIRO reports which are contained within here the catch totals for the long-line industry domestically going back to 1987. I have page 12 of this CSIRO report. I have not numbered the pages individually unfortunately.

CHAIR—Page 224 in our report.

Mr Rowley—‘The reported catch in numbers; billfish—Japanese long-liners’ is the heading on the page. It says that the ability of the domestic fleet to catch black marlin is extremely limited. Those figures come from the official logbooks—and there is no reason to believe that the logbooks are not what they are represented to be, despite what is said about them. As you will see, the striped marlin figures are quite substantial. The broadbill swordfish figures are substantial. The black marlin figures are minimal and the blue marlin figures are minimal. In 1995, for example, there were 42 black marlin caught by domestic long-liners. Over four days in Port Stephens the game fish competition landed 1,013 marlin in February of this year.

Mr ANDREN—Did they re-catch the same fish at all?

Mr Rowley—I do not think so. The possibility of re-catching caught fish is fairly minimal.

CHAIR—Perhaps if you could just go ahead and make your opening statement to us and then we can get into some more of the detail.

Mr Rowley—As you can see from those figures, the sacrifice on the part of the industry is absolutely minimal. We are giving very little away. We cannot sell the fish. We cannot even catch the fish, provided we do not actually go in and target the fish. Black marlin have a peculiar addiction to land masses. They are not an oceanic fish. They are caught close to land; that is why the game fish people can actually catch them. Their charter boats are required by law to move no more than 50 miles from a safe port. That is where they catch the fish. They catch their fish in those areas where we are not operating. We are not operating in that in-shore area. So, we do not catch the fish. That is the fact of the matter.

We find in area E, which is the bone of contention, an aggregation of spawning black marlin that happens for three months of the year. For this reason, we are asked to close down the entire tuna industry for 12 months of the year. Nine months of the year there are no black marlin in Cairns to catch. That is why the charter boat industry does not go fishing for black marlin other than in the months of the aggregation.

The tuna resource in that area is the largest in Australian waters. It contains, from 20 degrees north, the largest abundance of tuna in any of the Australian waters and this is because of the peculiarity of the tuna in itself—its habits. It frequents the area from the equator to 20 degrees either side of the equator. We are talking about big-eye tuna; we are talking about yellowfin tuna. This is the greatest area of abundance. We have closed the greatest area of abundance for tuna in Australian waters for the sake of an aggregation of black marlin for three months of the year. We, as industry, have proposed that the whole area should be

closed for three months with no long-lining whatsoever in those three months. This proposition has not been taken up and has not been taken up because the industry would have the high ground and be able to point to any problems with the stock as being the recreational activity on spawning marlin.

What you have to remember is that the marlin that they are targeting are in fact the female marlin. It is only the female marlin that reaches size of over 300 kilos, or 600 pounds. Every marlin over 600 pounds is a female. Every female marlin caught in the Cairns area, during those three months, is gravid. It is ready to spawn. The damage that is being done to the stock is not by the industry in any shape or form. Any damage which is done to the Australian stock is done by the recreational people.

In all of this, we have to recognise that the influence that Australia has on the black marlin stock is less than five per cent of the total Indo-Pacific ocean stocks of marlin. We have less than five per cent influence. If we stopped anything altogether—and that includes all the Japanese catches, all the recreational catches and all the domestic fleets' catches—we have no more influence than over five per cent of the total stock. So anything that we do, if we think we are doing something good we are literally kidding ourselves. The only solution that I can see to the dispute over area E is to close it for three months. Then there is no dispute. The tuna vessels can operate without any problem whatsoever for the rest of the year, and operate economically and efficiently without even touching the marlin. I think I have said enough to start with.

CHAIR—I think you have, yes. One cannot help but feel that there is a bit of 'them and us', especially in area E. Can you tell me whether you think there can be a management process that accommodates both areas of the industry and where both areas of the industry can actually work together, can coexist?

Mr Rowley—There is no doubt, in my mind, that that situation can be achieved. I have requested AFMA on a number of occasions to chair a meeting between the recreational people and the industry people. Let us get rid of all the smokescreens; let us get rid of all the lies and all of these false trails and false issues, and let us sit down. I am a fisherman and have been a fisherman since I was a boy. My grandfather and my great-grandfather were fishermen. I know my business. They know their business. We can live together; there is no question about that—no question at all.

CHAIR—What was the response that you got from AFMA to that request?

Mr Rowley—I would have to be fair to them and say that I cannot actually recall what the response was. But this is not one suggestion. I would have to go back to my files.

CHAIR—But did this meeting take place?

Mr Rowley—No, this meeting has never taken place. At other times, Mr Goadby and I have been able to sit down and talk. We have been able to talk together, and he knows and I know that there is a possibility for both industries to succeed together. If I can elaborate a bit further, I think one of the problems they have in their stated decline in their fishery is the perception of cruelty involved in that fishery. In the same way that people gave up shooting bears, do not wear fur coats and do not shoot elephants any more, they do not want to kill breeding females any more. It has become a non-thing to do. There are movements—

the Humane Society in America is taking some action to establish the levels of cruelty involved. What they are saying is that if the cruelty involved in the capture of these fish was done to a sentient animal on shore, the people involved would be taken to gaol. That is what is happening.

Mr CAUSLEY—Surely the long-liners know better.

Mr Rowley—Long-lines are designed differently. There is an entirely different objective in long-lining.

CHAIR—If I can just come back to the actual management process, without getting into the criticism, can you see a way for bringing the recreational fishing industry under Commonwealth control? Do you believe that that is a way—

Mr Rowley—They will never contribute.

CHAIR—That was not the question I asked you. To have them involved within the management process—

Mr Rowley—But they are involved. I was a member of the MAC. There is a recreational member on that MAC. There is no impediment—

CHAIR—That is with observer status, not as a full—

Mr Rowley—No, the recreational member has a voter status. We have got one recreational member.

CHAIR—How long has that situation existed where the recreational member has had—

Mr Rowley—Since the MAC was formed. The way the MAC operates is that anybody that has anything to say is welcome to attend and have input into the meeting. The East Coast TUNAMAC has never refused me on any single occasion when I was not a member the opportunity to address that meeting on a subject. They have never barred anybody, to my knowledge, from putting their point of view onto the table and, to a degree, permitted observers to participate in the proceedings of that MAC meeting. It is a very open MAC. You do not have a problem there.

CHAIR—You said in your opening statement that you have no interest in and there is no value for the black and blue marlin. Here this morning you have heard witnesses say they have seen black marlin for sale in markets or fish and chip shops.

Mr Rowley—We have seen marlin for sale, Madam Chair. A problem of identification was also mentioned, if you remember. I could explain to you why a striped marlin has a value and black and blue marlin have no value. The reason is that the flesh of the striped marlin is salmon. It looks the same colour as salmon. The flesh of black and blue marlins is a dirty grey—a most unappetising and uninteresting colour. That is the basic reason for the difference between the marketability of black and blue marlin and striped marlin.

I have seen mountains of black marlin and blue marlin being taken up in front-end loaders and put on the back of tip-trucks to go to the fishcake factory. There is simply no value. Melbourne is the only market that takes marlin on a regular basis and they want only striped marlin and no others, because of the colour.

Mr CAUSLEY—Why was the voluntary agreement on the taking of black and blue marlin abandoned?

Mr Rowley—It has never been abandoned. In the back of this submission you will see that a code of practice was put in place.

Mr CAUSLEY—I thought there was evidence given this morning that AFMA had abandoned this policy.

Mr Rowley—In the chairman's report of 10 November 1996 of the east coast tuna billfishing permit, item 3 was on the effectiveness of the voluntary ban on black and blue marlin. MAC noted the report was provided by AFMA on the effectiveness of the voluntary ban and agreed that, in most instances, the industry complied with this requirement. The East Coast Tuna Boat Owners Association stated their support for this ban and gave a commitment to pursue any allegations of black or blue marlin being landed. Representatives of the recreational and charter sectors were invited to forward any allegations of such activity to the association. The committee recommended that AFMA formally notify the minister's office that the voluntary ban on the taking of black and blue marlin is working in most instances and that a process is in place to ensure its continued success.

Mr LEO McLEAY—Wouldn't the simple solution to this be that the government just ban the taking of black and blue marlin and then everybody should be happy? You do not want to catch them, they do not want you to catch them—

Mr Rowley—They have a legislative problem.

Mr LEO McLEAY—What is their legislative problem?

Mr Rowley—The legislative problem is to do with the allocation of a resource to one sector of the community. They have a problem with that. You are actually giving a resource to a section of the community. How could you be sure that that community that you are giving that resource to is going to handle it responsibly?

Mr LEO McLEAY—If you ban the taking of these fish you are not giving them to anyone. If someone else catches them and lets them go—

Mr Rowley—In the voluntary ban we have effectively done that.

Mr FITZGIBBON—I understood that the only legal problem was AFMA's ability to do it under the current legislation.

Mr Rowley—That is right.

Mr FITZGIBBON—I do not think any of the legal advice precluded any change to the legislation; there is no constitutional question there. The Commonwealth could legislate to change the 1991 act.

Mr Rowley—I am not 100 per cent up to the minute on that situation, but there was some constitutional problems as well in that you had to have justification. The scientific advice was that there was no danger to the stock. There is no danger to the stock. There is ample stock. The CSIRO attended a meeting in Cairns and he told the game fishing fraternity, ‘You don’t have any problem with the current fishing practices.’

That was not what they wanted to hear. They wanted to hear that they had problems, and if they do not have problems they will make problems. This is their problem; they want to make it into a problem so that they can grasp the whole thing. For me, they can have it. I do not have a problem with that. What I have a problem with is that when they seek to impose, in areas where they have no right to be, economic efficiencies on my boats that are unsustainable for reasons which are not valid. If they were valid I could wear it, but I cannot wear it when it is not a valid argument. They do not have an argument. They do not have a reason for wanting to have all the marlin for themselves.

How about John Public? At the moment we are not giving John Public a chance of having a marlin. He can go to the States, he can go to Japan, he can go to every Asian country, he can go to Europe, he can buy marlin everywhere, Mr John Public, but he cannot buy a piece of his own marlin in his own country.

Mr FITZGIBBON—We will go back to Mr McLeay’s line of questioning. I did not mean to interrupt but I just wanted to clarify that. I might stand corrected if there is any constitutional question here. I think AFMA’s reluctance to enforce a ban is only based on their lack of power under the 1991 act, and I think there is nothing that precludes the parliament—

Mr Rowley—Each of the states can do the same thing.

Mr NAIRN—There is certainly some confusion over this because the Queensland government’s submission actually says:

As a result of the recent legal opinion AFMA has lifted the total ban on retention of all billfish taken as by-catch in the area off Cairns and replaced it with a seasonal ban on black marlin only during the September to January spawning season. . .

This change means that commercial fishers may retain all billfish they catch and use them for commercial purposes, except for black marlin during the spawning season.

We need to clarify it.

Mr Rowley—Area E was a total exclusion zone for the catching of marlin. You were not permitted to land any ex-area E marlin at all. That was the law, that was the rule that was in place at that time. After the AFMA received from the MAC a proposal to ban marlin and they began the research process that led them to the scientific advice, the Attorney-General’s advice was that the rule that they had in place in area E was

invalid, it could not be enforced. Therefore, they had to lift it.

However, it did not make any difference. The lifting of the ban made no difference at all. The only difference it could possibly make would be the landing of a few striped marlin from area E. That is the only difference because the voluntary ban remained in place. The executive ban—if you would like to put it that way—on the retention of marlin in area E was lifted, but it made no difference at all because the voluntary ban was back in place straightaway.

It is legal for me to go to Cairns and land black marlin, striped marlin and blue marlin in area E. I can do that today if I wish to. If I do that, then I am running contrary to my own code of conduct, which requests industry not to do that. So, we do not do it.

Mr FITZGIBBON—Putting any legal questions aside, if you are so committed to that voluntary ban, why do you maintain opposition to a compulsory ban?

Mr Rowley—I am not. There is no way that I am opposed to a compulsory ban on black and blue marlin. The reason for my opposition was that out of the MAC came a proposal to ban all marlin. I had to point out to AFMA that a total ban on all marlin would mean for the Japanese fleet that were operating off our waters a \$12 million waste factor—\$12 million worth of fish thrown back in the water for no good reason. There is nothing wrong with the stock. There is plenty of stock there. There is no reason for you not to keep this fish. It is worth \$12 million, but you will have to throw it back. It is not a proposition you can live with.

On the east coast of Australia the striped marlin catch of the domestic fleet is probably worth, at this time, somewhere around \$2 million or \$3 million. That is not a lot of money, but when you have an industry, particularly in the southern areas, that is struggling, \$2 million or \$3 million is important. I will support a ban on blacks and blues—no doubt about it, no question about it. But not on all marlin, which is what they sought. They sought all marlin.

Mr CAUSLEY—Mr Rowley, you keep saying that there is no problem with the stock. Is there any documentation the committee can get to—

Mr Rowley—In your submission there you have CSIRO's report.

Mr CAUSLEY—CSIRO's report is in here, is it—it gives indications on that? Right. I want to go back to a couple of things. There have been comments by you and a colleague of yours. I think you are in the same fishery. You have made a fair bit of criticism. We saw some of it this morning in a clip of, I think Senator O'Chee, speaking to the Senate. Again you say that identification is the problem there or—

Mr Rowley—Identification was a problem. The photographs displayed by Senator O'Chee were taken with permission. The chappy who took them asked for permission to take them. He was given permission to take them. He came onto the boat. He took the photographs. They meant nothing at the time—they meant absolutely nothing at all. It was only months later when somebody had some photographs of marlin being off-loaded from Fortuna's boats that it suddenly became a black marlin.

Where those marlin were unloaded is within 200 metres of the Queensland Fisheries Enforcement Office. Within 300 metres is the factory where those fish are taken. If anybody had any concerns about the identity of those fish at that time—these are people who supposedly know what kind of fish are what kind of fish—they could have done something about it right there and then. If I had landed a black marlin on the Cairns wharf at that time they could have taken me straight to the fisheries. My boats are worth \$1½ million apiece. My licences are worth \$300,000 apiece. You have heard here today evidence that black marlin have no value—not from me, but from everybody. Am I going to jeopardise my \$2 million investment for the sake of a goddamn marlin? No, sir!

Mr LEO McLEAY—So you are saying that the marlin in these pictures is a black marlin, are you?

Mr Rowley—They are not black marlin.

Mr LEO McLEAY—And they are not blue marlin?

Mr Rowley—They are not blue marlin.

Mr LEO McLEAY—What are they?

Mr Rowley—Striped marlin.

Mr LEO McLEAY—You are absolutely sure of that?

Mr Rowley—Absolutely. We mentioned a few minutes ago the difference in the colour of the flesh.

CHAIR—From those photos, you cannot actually see the colour of the flesh. For those of us who have never seen one, how would we be able to determine whether that is black, blue or striped marlin? Is there any distinguishing feature?

Mr Rowley—The skin differs on the fish.

CHAIR—How does it differ?

Mr Rowley—Striped marlin has a smooth skin. The blue marlin has a skin which is formed of tiny scales which are very sharp and pointy. It is not possible to make a mistake. A black, a blue and a striped are very distinctive. The only time that you could get into trouble is if you had very large fish and they started to exhibit characteristics of each other.

Mr NAIRN—Is there a big difference in their heads?

Mr Rowley—Yes.

Mr NAIRN—Most of these fish here do not have any heads.

Mr Rowley—None of them have heads. Not a single marlin landed in Australia has a head on it. Not one. It is part of the dressing process.

Mr ANDREN—Could you explain the process by which you obtained your licences in area E?

Mr Rowley—Yes. Perhaps I can answer a few questions for you on licences in area E because I was a member of the MAC at the time. I will explain to you how I came to decide to operate in area E, because that is part of the process.

The fish that were endemic on the south coast over the years gradually were fished out. It is not their natural habitat. The stock that was there had been built up over years, and the fishery turned from having a domestic or local stock to relying on the migration of fish into that southern area. I am talking about the south of Sydney.

The catch rates declined. We had the opportunity of purchasing southern bluefin quota and fishing for southern bluefin quota or accessing another fishery. I was in Cairns in 1983 with what was then the Department of Primary Industries fisheries branch. We did a research program on the tuna stocks of the Coral Sea and on whether or not we could establish a fishery on that stock that existed.

Mr ANDREN—Were you there as an adviser?

Mr Rowley—Yes, I was a consultant. We started that research program by trying to imitate the Japanese. The Japanese in that area were handlining fish. There are large aggregations of tuna in that area that are handlined. It quickly became obvious that the Australian fishermen were just not up to handlining fish in the way that the Japanese did it. We did not have the facilities. The quality of the fish that was produced as a result of handlining was very poor.

So we then furthered the project by introducing long-lining. I was the only long-lining operator in the country at that time. So we assisted in developing a long-line operation in the Coral Sea. The fish were there. The problems that we had were aligned to the quality of the fish. Tropical tunas are not of the same quality as cold water tunas, so there is a quality problem. That was the first problem.

The second problem was that Cairns at that stage did not have an international airport. We had to freight the stuff to Brisbane to get it out of there. The time spent fishing and the time spent arranging to get the fish into the market caused the freshness of the fish to be severely affected, and the prices returned were very poor indeed. So, basically, it was abandoned.

I must just add there that we were looking for sashimi quality fish, that is, the Japanese high quality fish that they need for their raw cuisine. As the years went by and the Australian industry grew, we developed, firstly, a domestic market for tuna and then a market in the United States for tuna which paralleled our domestic development in that this fish was now used for grilling and cooking.

Mr ANDREN—I am mindful of the fact that we are running out of time, but I just want to get to the nitty-gritty of it. You are suggesting there that the sort of effort and expertise you put into developing that

gave you some sort of—

Mr Rowley—I will shorten it up for you. At the conclusion of that research program, there was a proposal put forward to John Kerin at the time that there should be 10 licences available for issue for tuna long-lining in the Coral Sea. Because of quality of the fish, because of the marketing and all the problems, nobody took them up. Those 10 licences, or permits, existed for a number of years—I would have to give you the chapter and verse on the years. They were granted on the basis that you simply applied for one and you were given one because there were 10. There was never anybody there to take up all 10 of them.

I applied for two and I received two of the original 10. I moved my boats and started operating and catching fish in Cairns. Then there was an influx of other vessels that took up the balance of the 10. But the conditions of granting this permit had always been that if there were one available, there was no problem, take it. There was no cost or charge involved; there were no rights involved in it; it was a monthly permit. It was there and free for everybody to partake of.

When we got 10 boats all applying for those licences and then you have 13 boats applying for the 10 licences, AFMA had to create some sort of criteria as to who got the licences. Basically, they felt that anybody who had been present in and had fished in that fishery was entitled to one of those licences. But they had 13 people who had qualified under the criteria and that is why they granted 13 permits. Those permits were non-transferable. I got into trouble because I explained to AFMA how a non-transferable permit is transferable, and AFMA acknowledged that the non-transferability of permits was a nonsense. The permits were and always were transferable.

Mr LEO McLEAY—You had a number of permits transferred to you then?

Mr Rowley—No, I qualified for two permits. I was one of the first people there. I qualified for my two permits before the 10 permits were issued. My permits are beyond reproach.

Mr LEO McLEAY—How many permits do you have now?

Mr Rowley—For area E, I have two.

Mr ANDREN—Out of the 13?

Mr Rowley—Out of the 13.

Mr ANDREN—And how many operators share the other 11, do you know?

Mr Rowley—I believe that one operator has seven.

Mr CAUSLEY—He bought them?

Mr Rowley—He qualified for them under AFMA's criteria.

Mr CAUSLEY—He qualified for seven?

Mr Rowley—No, not all the seven—he purchased them. The licences became transferable. There was a system in place whereby you could take possession of a licence without actually buying it or transferring it—which is a lease arrangement for all intents.

Mr CAUSLEY—There was a legal loophole?

Mr Rowley—There are legal loopholes, yes. Of course there are. I think he qualified for three or four and I think he has bought three or four.

Mr ANDREN—You would not call it insider trading or a closed club or looking after your mates or—

Mr Rowley—I have a question over one vessel. Out of the 13, I have reasons to question the allocation of one permit. One permit was granted at the same time as Mr Williams was building a boat. That boat was being built. That boat had never fished in the water before. The criteria required you to have participated in the fishery prior to the closing. A boat that is being built in a boat yard cannot possibly have participated in a fishery.

Mr FITZGIBBON—It is the boat rather than the fishery?

Mr Rowley—The boat.

Mr CAUSLEY—I want to explore one point which I think is important, and that is the difference between the number of hooks you and the Japanese are allowed in the same area. That is interesting to me. I think that you said they are allowed 1,000. Is that it?

Mr Rowley—It is 3,500.

Mr CAUSLEY—And you are allowed 500?

Mr Rowley—That is right.

Mr CAUSLEY—Why? What is the difference? This is within Australia's fishing zone, is it?

Mr Rowley—It is within Australia's fishing zone. If you look at the Coral Sea as the Coral Sea, there is no reason on earth for it. If you look at the Australian fishing zone as a zone, there is no reason on earth for it. If you look at it as being a measure which goes some way to satisfying the game fish lobby, then that is what it is. It impinges on my viability, on my economic feasibility. I cannot operate my vessels—neither can Mr Williams operate his vessels—in that area on 500 hooks a day competing with a Japanese vessel that is doing 3,500. It is just not possible. We are good, but we are not that good—not yet. We catch well. When I have a boat that is capable of fishing 1,000 hooks a day and I have to put all the crew on 500 hooks a day, it is not even a day's work. The stupidity of it is that I can put 500 hooks in the water as many times a day

as I want to!

Mr FITZGIBBON—Is this an example of what you meant when you said in your opening remarks that, following the agreement between the recreational fishers on the voluntary band, you could leave them alone and you could be left alone?

Mr Rowley—Yes, of course. There is no reason on God's earth why we cannot coexist. We do not want their fish. The problem is, as you heard here, ban all long-lining. This is what we heard from the gentleman from Recreation just a few minutes ago. 'Ban all long-lining. Take all long-lining out of everything. Ban the whole lot.' Suddenly, at the end of his discussion, we were not talking about marlin any more, we were talking about broadbill swordfish.

Mr ANDREN—I saw somewhere—I am not sure where I can find it—suggestions that you have used up to 1,300 hooks in your activity at times. Is that right?

Mr Rowley—I operate up to 1,500 hooks. I am legally entitled to operate up to 1,500 hooks. There have been allegations—and that is all they are; they are unproved allegations—that my boats use 1,300 hooks where they should be using 500 hooks. It is simply not true.

Mr ANDREN—How is it policed? How is it you are 500 per line?

Mr Rowley—It is not policed.

Mr ANDREN—So it is by your good grace or—

Mr Rowley—No, there are rules in place, inasmuch as when my boats leave to fish in that area they carry 500 hooks. That is all they carry.

Mr FITZGIBBON—Whose rules are these?

Mr Rowley—They are AFMA's rules.

Mr FITZGIBBON—But that is not policed.

Mr Rowley—Yes, it is policed—that part of it is policed. But, as to how many hooks I have got in the water, it is impossible. You will never be able to police it, whether it is me or anybody else.

CHAIR—So it relies on a checking system of how many hooks you go out with?

Mr Rowley—That is correct.

Mr CAUSLEY—On the area we are talking about, you suggested earlier that in the spawning area of the black marlin there should be a total exclusion for a period of three months. You said that a female marlin—

Mr Rowley—It is not me saying it; that is the evidence.

Mr CAUSLEY—I understand that. A lot of fish are the same. I suppose there would not have been any research done to see what happens to female marlin when they are put under extreme stress like that as to whether they abort—

Mr Rowley—It is extremely difficult.

Mr CAUSLEY—I think fish absorb their eggs—they do not abort.

Mr Rowley—All we have to do is transfer that trauma from a fish to a animal on shore. All you have to do is transfer the one to the other. They are both animals. They both have hearts and livers and lungs. One has fins and the other has feathers, fur or whatever, but basically they are put together the same way. If you stress a cow or you stress a female black marlin, you are going to do the same thing. You go and chase a pregnant cow round and round the paddock for half the afternoon and see how many calves you get.

First of all, these fish will not take lures. They will only take baits. They will only take big baits—large baits with hooks sewn into them. You have seen pictures of it. You have seen how they hang them off the outriggers so that, when the marlin hits, the bait drops and starts to sink as though it was naturally hit bait. Then they wait until the marlin swallows the bait. He has to give them lots of time to swallow it deep, deep, deep. Now that marlin has got two stainless steel hooks in his guts that are never going to come out. Peritonitis: doesn't it exist in the fish world? Peritonitis kills as many fish with hooks as anything else. Those marlin die—no question about it. You could not live with two stainless steel hooks in your belly poking through you.

Mr CAUSLEY—They are stainless steel; they are not—

Mr Rowley—They will not rust you away, no. But there is peritonitis.

CHAIR—I think that we have just about covered all our questions. Very quickly, do you have any issue that we have not covered that you want to raise with us?

Mr Rowley—Yes, Madam Chair. I would like to suggest that, through your offices, you suggest to AFMA that they get together the players in the industry, sit them down and talk about it.

CHAIR—A meeting of minds?

Mr Rowley—A meeting of minds. I firmly believe that there is a way. At the moment my boats are catching zero marlin. They are catching zero marlin because at the moment they are fishing at night-time. Marlin do not work at night, Marlin do not feed at night, so we do not catch any marlin at all. In the areas we are fishing, there are very few marlin. We are not the threat they want us to be. We are very small players.

Mr CAUSLEY—Where—

Mr Rowley—Anywhere on the Australian east coast.

Mr CAUSLEY—Are you fishing there at the present time?

Mr Rowley—I am not fishing there at the present time, no. I am fishing at Lord Howe Island at the moment.

CHAIR—Thank you very much, Mr Rowley.

Luncheon adjournment

[1.54 p.m.]

ALVEY, Mr Bruce John, Committee Member, Australian Fishing Tackle Association, c/- Alvey Reels Australia, P.O. Box 105, Goodna, Queensland 4300

CHAIR—I welcome the representative of the Australian Fishing Tackle Association. We have received a submission from you and have authorised its publication. Do you wish to make any changes at all to that submission?

Mr Alvey—No. I will just make further comments.

CHAIR—Then perhaps you would like to make a brief opening statement before we go on to questions.

Mr Alvey—Thank you. Just some personal background. I am fortunately part of a company dynasty. We have been in Australia for 75 years manufacturing fishing reels. I am the fourth generation. We are part of the recreational fishing industry, which is what we like to call ourselves these days because it has really grown into an industry, and we align ourselves with the charter industry and with game fishing. They are all part of tackle sales and our customers, who are the general public, go fishing with everything from a coke bottle with a bit of fishing line around it to what we are talking about here—million dollar game fishing.

We represent all those people from manufacturers, importers, retailers to the everyday fishermen. Most of the committee are probably aware that today recreational fishing is probably enjoying the highest profile it has had for many years. We have Rex Hunt and Greg Norman, to name but two icons, who are pushing recreational fishing. They have certainly brought it to the fore through television and it is very hard to avoid. This has definitely given our industry as a whole a massive boost over the last four or five years since the TV coverage came about.

Most people are not aware that recreational fishing is the largest money spending sport in the world. Golf comes in at No. 2, but we have a higher participation rate with about one in three people in Australia participating generally in fishing. About five to 5½ million people go fishing a year.

The aim of our industry is to try to get more recognition with government departments at both the state and federal level. We are working hard at the state level, and this is probably one of our first opportunities to try to get a bit more of a say in the federal arena.

The turnover in our industry is \$400 million of tackle sales. That covers all sorts of tackle, right through from the very cheap stuff to the very dear stuff, imported and locally manufactured.

At the end of this inquiry we would like the committee to look at legislative changes to enable AFMA to mandate the release of marlin. We are looking for blue, black and striped marlin to be released. It was mentioned this morning that, unless you are an expert, it is very difficult to recognise the fish. So, if you allowed striped marlin, you are inevitably going to end up with other fish going through the system as well.

Another change we would like to see is AFMA legislation to recognise recreational and game fishing as part of the industry and to share these fish stocks with the commercial industry. It was nice to hear even Mr Rowley state that they would like to have a sit-down meeting with all members which recognises that the game fishing and charter industries and recreational fishing all have a part to play in the industry of fishing.

Another change we would like to see is legislation to give a more balanced representation between recreational and game fishing and commercial fishing on the board. This flows through to even the TUNAMAC board, which apparently has nine people on it but only one from recreational fishing. Observers could be there, but they could only speak if they were asked to speak and they had no voting rights. One of our big concerns is that TUNAMAC was put together with a lot of effort and expense and by supposedly knowledgeable people and, basically, all the recommendations made by this committee were totally ignored. In most cases, I think, our recommendations were overturned and increased. As I mentioned before, we would welcome any sit-down, if AFMA can arrange it, between our industry, the charter industry and the commercial industry.

A three-month ban was mentioned. We do not believe that our industry should be particularly involved in that because we are not targeting the fish to kill them; we catch and release. Some of the figures that are available show that about 95 per cent of the catch of marlin are tag and release. The example at Port Stephens was brought up specifically: 1,013 fish were tagged and released and only 11 killed. That gives you an idea that there was a very low percentage rate of fish mortality.

In relation to the studies that have been done, 85 to 95 per cent of the tagged fish tracked through the sonic tracking devices do live. Most of the fights for the smaller fish are only about a 10- to 15-minute effort. It is only with a very large fish that it could end up being a long drawn-out affair. Most of the fish are smaller fish.

The other thing that possibly a lot of outsiders do not realise is that for the industry to survive—it was mentioned this morning; a little bit of bad press goes a long way and it is the perceived image as to whether there are fish there to be caught—there have to be fish there for strikes. If a fishermen goes out, he might not even catch one, but if he has a lot of strikes at his lure or bait he is satisfied that there are fish there and that it was maybe his lack of skill that he missed out on catching a fish. But he is not going to blame it on there being no fish there. It is very important that it is the amount of fish in the area and the strike rates have a big impression on that customer as to whether or not he comes next year.

The other concern is the food aspect. Too much tuna long-lining in the area could have a detrimental effect on the amount of black marlin that turn up in the area, because that is part of their food chain. We feel there should be a lot more research done into controlling things that take out of the area to be sure that the fish turning up for their food in that area are not affected. That covers most of the areas, if the committee has got some questions.

CHAIR—I am sure we do. I would like to start by asking you a question. I think the one area where there is general agreement in all sectors of the industry is the need for accurate data about stock levels and good data about catch levels. This goes to the question of the amount of research that is being done. As an industry which is very much dependent on the sustainability of stock levels, does your industry contribute at

all to the research that is being conducted?

Mr Alvey—Probably not directly as an industry. There are certain individuals—we were talking about this this morning in the game fishing industry—that have a vested interest in that area and are concentrating on that area.

CHAIR—No, I am referring specifically to the association that you are representing here today—the Fishing Tackle Association.

Mr Alvey—We probably do not support anything on a direct gift basis, no.

CHAIR—Do you see a role for—

Mr Alvey—We do help with fish restocking and so forth back on the mainland. We contribute actively to supporting fish stocking of dams and that type of thing, but not so much in this area. This is the about the only area, I suppose, where the tackle industry is involved with AFMA, because it is in the Australian fishing zone.

CHAIR—Do you see a role for private industry to sponsor research?

Mr Alvey—I think, if we want to have some of the benefits of it, all the parties concerned in that area should be involved and at least look at where they can help facilitate it. Information is the most important thing. We should be erring on the side of the fish stocks rather than going ahead and fishing and then worrying about stock five years down the track. That has happened in a number of cases with, say, orange roughie and things like that. They have nearly disappeared before somebody really got their facts and figures right and said, ‘We should put a stop to this before it is too late.’

CHAIR—Would you be able to give us any evidence as to the level of fishing tackle that is being sold specifically for the game fishing industry?

Mr Alvey—That is in one of your charts you got this morning from—

CHAIR—I have not seen that.

Mr Alvey—That was the big one that had the sales tax and everything on it. The big chart on the back of a—

CHAIR—Right, so that has been increasing, hasn’t it?

Mr Alvey—The tackle industry is growing. Whether you could attribute it to one portion or not would be very hard to say.

CHAIR—You are not able to break it up into those segments?

Mr Alvey—No. Fishing tackle is very regional. What you sell in south-east Queensland, you do not sell in Cairns.

CHAIR—In these figures here, though, tackle is actually included with bait and clothing. As a representative of the Fishing Tackle Association, are you able to tell us that the fishing tackle has been increasing as an industry?

Mr Alvey—Yes, it has been.

CHAIR—The reason I am asking is that, as you would have heard here today, there have been various reports as to how successful this last season has been for the game fishing industry, in particular the black marlin, and some of the statistics that we have been given contradict each other from various reports. If you are selling more and more fishing tackle, if there are not numbers of charter boat operators pulling out, what conclusions would you draw about the state of the game fishing industry from that?

Mr Alvey—The tackle industry is only a very small portion. Admittedly, the items you are talking about are of very high dollar value, but that is probably only a fairly small proportion of the whole tackle industry.

CHAIR—I am surprised that your industry would not be able to differentiate that. In the 1990s, with the aid of computer technology, if I had a fishing tackle business, I would be wanting to know which area of my business was expanding, which was contracting, so I would know which—

Mr Alvey—The companies that sell it would be able to tell you, without doubt. Our company has nothing to do with game fishing. I am here as the Queensland representative for the industry. The people that are involved—

CHAIR—You do not have that information?

Mr Alvey—No, the people who are involved would have it, though. Without doubt, they could tell you that. You are talking about massive dollars to rig out the boats and a lot of the gear probably lasts a long time. But when you build a new boat, I dare say they would have to have all new gear to go with it. There would be sales there. You may not necessarily get the return if your bookings are down. You still had to buy the equipment and you had to buy the boat. So it is all there and it is—

CHAIR—But what you can tell us is that the fishing tackle industry is in a healthy state and is developing?

Mr Alvey—Yes, as a whole.

Mr CAUSLEY—I note in your submission that you probably slavishly support the amateur fishing industry. That would be predictable, wouldn't it? You sell only to amateur industry—

Mr Alvey—Most of our customers are recreational. As an industry, we do supply commercials. There

would be guys there supplying hooks, line and everything to commercial fishermen as well.

Mr CAUSLEY—Taking up your point about bad publicity, I think it was raised this morning from some people as well. Would it be fair to say that you are in some ways an architect of your own demise, because obviously the Australian National Audit Office took evidence from people who were probably defending their own position as against others and making certain, I suppose, exaggerated comments which were taken up by the Audit Office. Then came, of course, the World Wide Fund for Nature and we got headlines across the world.

Mr Alvey—That could have been the case. Everyone, unfortunately, usually likes to hear bad stories rather than good stories. It is something that could blow up in your face for the sake of stating too much of the bad side of it. It has already been mentioned this morning, too, that also weather and other things can have quite an effect on your catches or size and movement of fish as well.

Mr CAUSLEY—On that same point, I noted that Mr Rowley was prepared to talk about trying to get some common ground in these particular areas. My experience in New South Wales as minister was that the Australian Fishing Tackle Association was not very cooperative in that area. In fact, I had journalists from magazines who were dishonestly putting statements out and not even referring to my office. Is that a usual tactic by the tackle association?

Mr Alvey—I would hope not. I am only one member of the board but I am president of the Queensland association. We value what we say as being correct.

Mr CAUSLEY—I can assure you that happened in New South Wales.

Mr Alvey—I was not involved in that. I have only been on the AFTA committee for two years. There are, hopefully, some changes so that it will become more of a real national body. It is in all our interests to work with government departments and the commercial fishermen. They are a fact of life. They are a big industry. We do all have to work together. In the past we have probably not had the credibility that we have been trying to achieve. We should be putting more effort into that to get more credibility and to be involved in some of these decisions that are being made.

Mr ANDREN—I notice in your submission you say:

It has transpired recently that commercial fishermen operating out of Coffs Harbour have been landing substantial quantities of marlin. While the majority of the catch has been striped marlin, blue and black marlin have also been caught and retained.

We have heard here quite recently that there is only a minimal number. Two things first. We have a figure here of 359 caught in 1995 through tagging the Japanese and domestic catch. Then we have 1,156 caught in the one exercise. Where did they all come from if we are down to such small numbers here?

Mr Alvey—As a few people have said, this year there seems to have been a better season than normal due to whatever, whether it is climatic changes or different currents or whatever. It can change dramatically.

The other big thing that we brought up was that those fish were tagged and released to fight another day.

Mr ANDREN—Would you support or dispute the fact that black marlin is not a commercially attractive species?

Mr Alvey—It appears from all the people that have made statements today that it is not a commercial species.

Mr ANDREN—Why would they be landing substantial quantities, including black, through Coffs Harbour if there was not a commercial value?

Mr Alvey—There must be some commercial value for sure. There are a lot of commercial fishermen and recreational fishermen who will take fish for the sake of taking fish. Even if they get 10c a kilo, it is still better than nothing. It might pay towards half your fuel bill or whatever. Whatever fish comes in goes through, whether it is going to cat food or into prime restaurant meals.

Recreational fishermen will do the same thing. They will go and catch 100 fish or whatever and then go and flog that on the boat market. We are against all of that. If it is a sustainable resource, it should be managed as such and run as a business, not just take for the sake of it.

Mr ANDREN—Would it not be more difficult though to off-load a couple of marlin than it might be to off-load some other species? It strikes me that there is a market there that may be—

Mr Alvey—Mr Rowley said this morning that he had seen truck loads of them just going to be made into cat food or fish cakes. I do not know where that was. I know that happens with other fish—tailor, mullet and stuff like that. They are quite often just netted for the sake of it and they just get made into cat food because there is nowhere else to get rid of them.

Mr NAIRN—You raised one matter in your opening comments. I know you are probably not qualified to go too far on it, but you made a comment about the relationship between marlin and long-line tuna and the food chain and the effect long-line tuna fishing might have with respect to marlin. Can you enlarge on that.

Mr Alvey—I think it was mentioned in the video that there were concerns that the tuna are part of the food chain of the marlin.

Mr NAIRN—In what way?

Mr Alvey—Apparently they eat them.

Mr NAIRN—The smaller ones?

Mr Alvey—Yes. The concern is that if tuna stocks in the area are reduced too much it could have a

detrimental effect on attracting fish; if there is no food there, the fish will keep moving and go somewhere else.

Mr NAIRN—In all the submissions and various things, I do not think that aspect has been raised by any of the research. I guess I have not read every single word—we have had an enormous number of submissions.

Mr Alvey—I know it was in the video. I could not put my hand on it, but I am sure it is.

Mr ANDREN—One could assume that any small fish would be part of the food chain, wouldn't they?

Mr Alvey—We have just been through that up here. They already fish for blue pilchards in New South Wales, but in Queensland they are just going to start fishing for them. The concern is that the blue pilchard is right at the bottom end of the food chain and might go through about three other species before it becomes food for whatever it is further up the line. All these things come back to the question: are we sticking our necks out and taking too much out first before we see what the full consequences are?

Mr ANDREN—In the area of research on biomass, have you any suggestions or criticisms of the level of research? Early in the inquiry we heard that CSIRO, whose figures were quoted here earlier as being figures that we almost should not dispute, made an enormous stuff-up, if you like, with the orange roughly situation early in the piece and that they are only able to make one sweep down the west coast each year. You would obviously like to see more input. What is your criticism of them?

Mr Alvey—I would think there should be more and more meetings of all parties concerned. There are a lot of old fishermen around that you can speak to who can tell you a lot of information about fish stocks, about what fish do, and whatever, that scientists might be able to go out and spend half a million dollars to find out for you. If you talked to some of these old guys in the industry that have fished for their livelihood since they were children, they can tell you some very interesting facts on what weather conditions are going to cause for fishing, where you will find the fish, why you will not find them. There are a lot of times where a lot of money is spent to basically find out what somebody could tell you straight off the cuff.

Mr ANDREN—Mr Riley thought that there would be little inclination by the recreational and game fishing industry to contribute to research. Firstly, would you suggest that is true and, secondly, is there any way that you would support a research specific tax on tackle?

Mr Alvey—There were a couple of other speakers who already said that they would listen to talk about a licence, or whatever, providing that money went back to fish management and not down the black hole. About five years ago when we had lowering of tariffs on tackle coming into Australia, the option that was put was this. Why don't we leave the tariff here, take this slice out here—the public will never know about it because it is in the system? That money, which would be a lot, could be taken straight out and used for research, or whatever. But that was passed over.

Mr CAUSLEY—Take it out of hospitals?

Mr Alvey—No. Duties were coming down. They were 15 per cent and they are down to five per cent now. That money does not go anywhere. It is not being paid. That was duty that was being paid to the government that was no longer collected. All imported tackle now is down to about five per cent tariff duty, if not less. A few years ago you were talking about 15 per cent. At that stage it was suggested—and I do now know how far up the ladder it went—that we keep the tariff at that level, take a percentage out of that level and siphon that piece off so that it did not go in as tariff but went sideways to fund fishery research, or whatever you like. But that suggestion was passed over. It was a golden opportunity that is gone now.

Mr ANDREN—But that would not have included a local manufacturer's contribution.

Mr Alvey—There are not many, I can tell you. But it was a system that was there. Possibly as high as 90 per cent of tackle in Australia is imported, and a very large sum of money could have been got without affecting tax revenue to the government. It could have been taken out and used exactly for that—and it was suggested.

Mr ANDREN—That is 'could have been'. Is there any way that you can see the industry contributing more to research? Has it reached that point?

Mr Alvey—It could easily be done. To go back up, you could call it something else. You could have an industry tariff. It would be fairer to do that. It has to be something that probably everyone pays, and it has to be at a set point. That is why the imported tackle was suggested: it was such a high percentage of the tackle anyway, and it was all controlled, because it came in through customs and there was an exact figure that everyone could have been apportioned to contribute. I suppose that is still available to go back up. As a local manufacturer, we are not going to complain.

CHAIR—Is what you are really suggesting, in today's terms, a levy or tax on both commercial and recreational fishers when they purchase tackle?

Mr Alvey—Commercial fishermen do not pay tax when they purchase anything. What we are talking about here is goods coming into Australia. The easy way was to—

CHAIR—But we have missed that opportunity.

Mr Alvey—There is still an opportunity there to put a levy on, say—it depends what you want to call it. You could put a fishing research levy on imported tackle, if you liked.

CHAIR—That involves the purchaser of fishing tackle; but Mr Andren's question and my earlier question asked what industry was prepared to do. It is the consumer who would actually contribute that levy.

Mr Alvey—It comes right through the whole system. Everyone would contribute a portion of it. It would basically be passed through to the end user, but I suppose you then come back to the end user as the benefactor of the fish stocks. Most people have agreed that they would not mind paying towards something, if there were something there. Most fishermen have a perceived concept that, when they go fishing, they are going to catch a fish. There is no quicker way of losing customers than if they go out fishing and they do not

catch a fish.

Mr CAUSLEY—You turn them off it.

Mr Alvey—You can guarantee that they will not do that too many times before they say, ‘I’ll put that away and I won’t worry about going fishing again.’ And that goes for somebody fishing off the pier for a whiting or somebody fishing for a marlin. If a guy comes out and spends two grand a day and does not even see a fish, he is not going to come back.

Mr CAUSLEY—I have spent many days chasing fish and not getting them. I would like to go back to the matter of representation on the MACs. The recreational and game fishing sectors have said that they do not feel that they are adequately represented. I have heard it before from other sections of the industry who have said that they also are not adequately represented. You do have one voting member on the MAC. What do you see as the magic formula of representation for a MAC?

Mr Alvey—I suppose that it would depend on what species or stocks the MAC is looking at. As Colin Earle said this morning, where it is one that dollar-wise has a very high value for both parties—as with game fishing in this area—maybe they should have a fairly even representation. If it is in a different area of fish stocks, where it is all recreational and no commercial value, then it should be the other way—or vice versa, if it is a strictly commercial species that is of no interest. Mullet is one that probably has virtually no recreational fishing interest, but—

Mr CAUSLEY—It is the bread of the sea.

Mr Alvey—It is a fairly big industry for commercial fishermen.

CHAIR—I have a final question. Your association obviously has very close links with the recreational fishing industry. Is there any process whereby your association picks up information, whether it is to do with stock numbers or whatever the issue? If that process exists, what do you do with any information you receive? Do you put it into a newsletter or do you feed information back into a map?

Mr Alvey—Most of that information does not come through to us as an industry. You would find in most states by—

CHAIR—To your association.

Mr Alvey—Not to our association.

CHAIR—So you do not get it?

Mr Alvey—No. For instance, in Queensland, there is an association called Sunfish. I am on that committee as well. In conjunction with them and the QFMA up here, we are actually doing a research project at the moment on how many people go fishing, what they catch and all that sort of thing. They are also using data from Sunfish, which is also the affiliation of the amateur fishing clubs. They are all providing data from

past records from, say, club fishing competitions—what was caught, where it was caught, when it was caught. That is going through to the Queensland Fisheries Management Authority, and I think they run similar bodies in most other states as well. So there is a recreational fishing body, as you say, that probably looks more after that side, whereas ours is more on the industry side—the selling of the tackle. We are more interested in the sales and that sort of thing, whereas the recreational fishing guys are not interested in that. They are interested in catches of fish, not who sells what or how many.

CHAIR—It seems as if there is a lot of information out there. It is a matter of harnessing it and what happens to it. I am quite sure, if you were to look into your statistics of the areas of tackle that you are selling most, that, in itself, would tell us something about the industry.

Mr Alvey—In south-east Queensland, our biggest recreational fish that has most influence is tailer. When there is a big run of tailor, everyone's sales go through the roof. If there is a bad season with no tailor, nothing is sold. So tackle sales are very much reliant on fish stock availability. If there are fish around, people will go fishing. It is when somebody comes home and says, 'I went fishing down the road; I caught one; it was that easy. Joe Bloggs was down there and he caught one as well.' The bloke will say, 'I'll go'. But if a club champion comes back and says that he caught a fish, everyone knows that he can probably pull fish out of a bathtub, so it does not have the same influence.

CHAIR—Following on the point that you have just made, would your association be able to get the information as to how much tackle is being sold to the recreational game fishing industry and provide this committee with that information?

Mr Alvey—We should be able to, yes.

CHAIR—As we have no further questions for you, I thank you very much.

[2.30 p.m.]

REICHELT, Dr Russell Evan, Director, Australian Institute of Marine Science, PMB 3, Mail Centre, Townsville, Queensland 4810

CHAIR—We have received a submission from you and have authorised its publication. Are there any changes that you wish to make to that submission?

Dr Reichelt—No, I will let that submission stand, thank you.

CHAIR—I invite you to make a short opening statement before we move to questions.

Dr Reichelt—Thank you for the opportunity to talk to you. While I am appearing as the Director for the Australian Institute of Marine Science, I have some other background in fisheries. Just so that you are aware, I am also the Chairman of the Fisheries Research and Development Corporation. This is a national body and I think you have already received evidence from the executive director, Peter Dundas-Smith. I am happy to discuss either, but I am using this opportunity to represent AIMS, as it is referred to.

I do not want to elaborate or repeat my submission other than to comment that I welcome all the remarks saying in a positive way that the research efforts should be greater. The problem for the researchers is one of priority setting and resourcing the work. There has been a great increase in recent years in more of the users of the natural resources having a say in setting priorities. That is an area where I think there is still room for improvement. I am a great supporter of the MAC system for AFMA, where people have an input to priority setting for R&D. The issue of representation on those is another matter for those users and AFMA to sort out.

I also wanted to emphasise the problems that researchers face in making definitive statements about the status of stocks. My knee-jerk reaction is often to be defensive about it because the statements, when I read them, sound, frankly, weak. More often than not, it is very hard to say precisely what the status of fish stocks is. It is as frustrating for the scientists involved as probably for those hearing the reports. It makes decision making difficult for natural resource managers and the users of the resource. We could discuss that now if you want, but accurate stock assessment is a difficult area.

Finally, I would just add—and I made this point in my letter to the committee—that I found the tone of the ANAO report critical of AFMA. I had a general feeling that it was slightly unfair, given the difficulty of natural resource management. One of the hard areas of government and socio-politics is balancing a multiple use resource that is only partly known. AFMA is handling an area that is very difficult. I expressed that in my letter to you and I just restate it there. Maybe I should try and answer your questions now.

CHAIR—There is certainly general agreement about the level of research and, obviously, much better efforts can be put into that. One of the aspects of research that I would like to seek your opinion on is that there seems to be an extraordinary amount of research going on. Some of it could be going on in universities, and some with CSIRO. It is happening at various levels and through various institutions.

Are you concerned at all that there is an insufficient monitoring process of the amount of research that is going on and then what happens to the research? If you do have a concern about that, what suggestions could you make to us in relation to that in handling it better?

Dr Reichelt—It is an area of concern to me. I would say that. The problem of many people doing the work should be seen in a couple of ways. Firstly, taken overall, the number of fisheries scientists in Australia is not that great. They are distributed amongst the states. The main centre—and it is an international standard laboratory—would be the CSIRO, now the Division of Marine Research.

There are many good fisheries scientists in the state agencies as well. Universities contribute but in a very minor way. Their primary job is education and training of researchers. The extent to which they do fisheries research is fairly patchy and I would say they are not major players in fisheries research in Australia, with a few notable exceptions.

Coming back to the states and the federal effort, our own laboratories in Western Australia and Townsville are not primarily fisheries research labs. To deal with that first, I would say that Australian marine industries, of which fisheries is one, are worth some \$30 billion and growing. There is great public interest and there are conservation problems to be tackled. I distinguish general marine research from fisheries.

Coming back to fisheries, the coordination of fisheries research has greatly increased in about the last five years. I think the formation of AFMA and the formation of the R&D Corporation were great boosters to that. I think there has been a great increase in the level of cooperation amongst agencies. I would say that there is very little wasteful overlap. In my view the problem is one of gaps, not overlaps, in research in Australia.

When I say the amount of coordination has been increased, I am referring to things like the fisheries research advisory bodies and the management advisory committees. What that has done is bring researchers into much closer contact and made them more accountable to people using the results they generate. Ten years ago I think there was a real academic flavour to fisheries research in Australia. It was dominated by people who were more interested in understanding the basic biology of the fish rather than delivering information that could be directly used by the industry or by the managers who were looking after both public and private interests.

I think there has been a great change in attitude. I think it is these institutions, the two that I have mentioned—the FRABs, as they call them, and the MACs—that have changed it. I think the attitude of the researchers is changing. There was in the past an attitude, and I think there is a residual attitude, towards applied research, particularly amongst very good scientists—that it was somehow second rate. I have heard the expressions ‘blue-collar science’ and ‘white-collar science’. By that I think people meant that somehow tackling applied problems was not as interesting. I think we are seeing that change and it is changing in fishery science. Some great insights into population dynamics has come out of some of the world’s leading applied fisheries labs—the Halibut Commission, Inter-American Tropical Tuna Commission and CSIRO in Hobart. I think it is changing.

In terms of offering advice, I would not like to see the current system dismantled. If anything, we need to do more in the direction we are going. Perhaps there is room to look at representation on some of the management committees. I would not venture to say where it is imbalanced but I think that is an issue that needs to be looked at. I heard Bruce Alvey, who was here just now, mention that. That is looking at how to improve the machinery but I think the machinery is good. It is a good process.

I think people in my position can talk up amongst the scientists the value of applied research and the satisfaction that can come from that in tackling and solving applied problems. There is a problem with resources and some areas are very expensive to study. I think the question of how many resources go into research is ultimately a political judgment. I tend to focus more on what we can do to improve the priorities—are we working on the problems that need to be tackled soonest?

CHAIR—Who makes the decision about setting the priorities?

Dr Reichelt—In the fisheries area it comes up through those consultative bodies, the fisheries research advisory bodies. They were initiated in each of the states and at the Commonwealth level at the time of the creation of the R&D corporation, but they were not created as creatures of the R&D corporation. They were always meant to be looking at the regional problems and offering and setting priorities. The R&D corporation has a commitment to listen to those and to respond to them in making research grants. But they are also serving the local fisheries labs in the states. Anyone doing research now I think is tuned into the fact that here is this group that is being listened to by funding bodies and by government in setting research priorities.

Mr CAUSLEY—We have two advisory bodies in New South Wales, don't we?

Dr Reichelt—At the moment, yes.

Mr NAIRN—Just following on with the research aspect, I put to you that there is probably a resource that has not been used very well from a research point of view, and that is the fishers themselves, and information that could be available which has not been available, for a whole variety of reasons. I give you an example. In your submission you comment that the gemfish stocks are still low, and some people will argue about that. But since the TAC has been set at zero, I know for a fact that a lot of gemfish have been caught as a by-catch and it has all gone overboard because it was not allowed to be brought in. There is a lot of information that could have added to the research that is going on with gemfish now if there had been some incentive for that information to be brought through. Do you think there is scope to utilise the fishers themselves for more data to help research?

Dr Reichelt—Absolutely. I think it is tremendously under-used. There are some reasons for that. Where there are obstacles they need to be broken down. Where a resource like the gemfish is controversial, or appears, on the scientific evidence, in a state of collapse or decline, suddenly people have a lot of incentive not to talk about some of the things they observe as well. We have seen it with bluefin tuna in some areas.

The problem is gathering the information in a way that can then be used in scientific assessments and creating situations where scientists come into more contact with the fishing community. The barriers are built

from both sides, if you like. Where the barrier has been broken down it has worked tremendously well. In the northern prawn fishery the logbooks have been highly valuable and there has been a good cooperative approach taken. There is information, unless steps are taken now, that will be lost.

I was supervising a project about two years ago when I worked in the primary industries area and one of my scientists was told by a fisherman in New South Wales of some logbooks that were in a factory in cardboard boxes. They were a fabulous set of records from the steam trawler days of New South Wales; they had not been looked at by any scientist and were invaluable to the stock assessments. I believe that has now been looked at.

I am a great supporter of getting the researchers out of their ivory tower and also encouraging fishermen to talk frankly to the scientists but also to understand that not every casual observation can easily be plugged into a scientific assessment. There are problems on both sides but in general I am a great supporter. What can be done is this. The people who get usually elected to sit on the MACs from the fishing industry side are the people who are more comfortable talking to groups like you or to committees or in public. Those people should be then used by the researchers to go back to those who actually carry a lot of information in their heads but are not so comfortable talking in public. That has to be done on the back deck of their boat or on the wharf.

CHAIR—Do you think that degree of communication does not take place because of a lack of trust?

Dr Reichelt—Oftentimes it is lack of trust. I guess that is what I was trying to get at when I mentioned decline. Where there has been outrageously wrong scientific assessment, that does a lot of damage to credibility. Where the industry, scientists and managers know that a stock is threatened, I have quite often come across a fisherman who will pull you aside and privately express their concern but feel duty bound when confronted with a concerned minister to put a different view—and then apologise later. There are different motives, and lack of trust is probably the biggest one. The second one I would mention is just a discomfort that many fishermen are not in the habit of ringing up their local scientist and having a chat. Those bridges have to be built.

Mr ANDREN—I notice you mention here that the radical cutbacks in total catch of threatened species such as orange roughy should be applauded as an achievement of AFMA rather than seen as a negative. The scientists really created the problem there, didn't they, rather than solve it? I wonder whether you saw the roughy thing as a watershed in the approach to biomass or ESD?

Dr Reichelt—There are a couple of points there. I do not want to appear overly defensive. I do not know how many scientists were actually operating fishing trawlers in the late 1980s but some scientific remarks were made that implied there was a lot more orange roughy present around Tasmania than was found to be actually the case when better techniques were developed. What occurred after that I think was a great influx of capital. There was a scramble on the scientific side to try and assess the stocks more precisely. The scientific assessment lagged several years behind the speed with which capital was injected. It happened at a time when catches were declining elsewhere so there was an incentive. It was seen as a sort of gold rush mentality.

The scientific assessments began to improve after a couple of years of work and some very innovative research on acoustic detection of fish. It coincided with the creation of AFMA. I was really getting across that it was to AFMA's credit that it grabbed that information, talked to the industry and introduced controls. Since those first major cuts, there were concerns about enforcement. I think the first thing to be introduced on every boat was a transponder so that fishery managers knew where each boat was 24 hours a day. That can tell you a lot about what that boat is doing. Even if it is at sea you can look at the speed it is travelling at and that sort of thing. You would have to confess that there were some ill-considered remarks earlier on about the abundance of that stock. But I was looking at the positive side, that I think ought to be put in a balanced argument about AFMA's reaction to it.

Mr ANDREN—How satisfied are you that the scientific endeavours have improved since that period? Are you confident that we can go out there and confidently establish the stocks in any particular species now within reasonable bounds?

Dr Reichelt—No, it depends on the species. It got such notoriety and it was such a boom and bust that there would not be a fishery scientist in the country now that I think would, on the basis of a few echo sounding traces, remark on the tonnage of fish likely to be there. A current example is the Patagonian tooth fish in the sub-Antarctic waters. The first reaction of the scientists when asked about the abundance of that resource was, 'Well, here is what you have to do to assess it.' So there has been a maturing in attitude of the science community I think. In that sense, I would say that was the watershed. I would agree with your final remark.

Mr ANDREN—It seems too, with the Patagonian fish, there is almost a need for input controls rather than output controls when in the early stages of a fishery development. Is that right?

Dr Reichelt—How it is controlled is a matter for the fisheries managers. I probably should not enter into management areas, given who I am representing at the moment, if you do not mind. I would say that the need from a technical point of view is to as rapidly as possible get some idea of the size of the resource and its productivity. That would be how I would respond professionally in that Patagonian tooth fish arena.

Mr ANDREN—The other final one is the by-catch issue and it was suggested earlier that perhaps there should be a reward for declaring and landing such fish in the interests of perhaps half research, half commercial gain—or would you see that becoming a targeted species then?

Dr Reichelt—The idea of quota for research dollar or a catch quota for trading off levies and so on for research really is a matter between the industry and the managers. There are some downsides to it. In fact in foreign countries I have had the experience where they could not get quota allocated by agreement amongst the research community so they would then look for a catch that they could sell and then call it a research quota. We see that in some areas. I could name whaling as one. A research quota can become just another way to take a few more fish.

Putting that aside, I think how stock assessments are funded is a matter for the users of the resource and the regulators. The scientists can have an input basically or they ought to be looking for the most cost-effective way and not inventing a \$500,000 scheme if a \$50,000 one will work. One needs to be cautious in

advocating catch for research dollars. It depends on the state of the resource.

Mr CAUSLEY—I would like to ask a question in relation to the recommendation from the Australian National Audit Office. Well, it was not a recommendation; it was criticism, I suppose, of the fact that AFMA have not got enough records as far as the audit of fish stocks is concerned. What scientific ability have you got to back AFMA in assessing fish stocks? What would it cost to have such an assessment made?

Dr Reichelt—I am aware that AFMA is in dialogue with the environmental departments about the state of some species that are considered to be very low, but that is a different thing to conducting a full audit. But the best available assessments are produced sometimes at great cost through a research effort, through some agency or agencies, in cooperation generally with the industry.

The cost can be extremely high. The best available advice is then tabled and argued about and debated, and finally goes from the MACs into AFMA. To then say that one wants an audit—you could say, ‘Well, yes. You could try the scientific assessment by a totally different method, probably for a similar or greater cost.’ What I think is a better way of handling this audit idea—and it has been done; AFMA has initiated it for a number of species—is to bring in an independent scientist and say, ‘Well, here is the data that we have collected and here are the approaches taken to the analysis. How have they gone? Are they overly pessimistic or is it the best available approach?’

I know that has been done for gemfish, southern shark, orange roughy, southern bluefin tuna. A couple of those cases involved international scientists who are not part of CSIRO or AIMS or a state department; they are independent. So I would say that is a cost-effective audit and it is being done now.

Mr CAUSLEY—Would that just be a snapshot though at that particular time? Could you be absolutely certain that the assessment made was absolutely correct?

Dr Reichelt—The way that stock assessments are going these days, it is the case that where the assessments are reasonable or good assessments they invariably are dynamic assessments. They involve what catch histories there are, what scientific surveys. They use all the available information. The fundamentals of stock assessment are the size of the breeding stock and its productivity. To call it a stock assessment, I would say that it would have to be dynamic assessment.

For instance, you can get snapshots, such as the annual acoustic surveys on some of the orange roughy grounds, but they are fed immediately into dynamic models that look at the history. In fact, the most common way of assessing a fish stock is to rebuild its history, to try and picture what it was before there was any fishing on it. That is why you hear references to virgin pre-fishing levels. That is how the assessments are done. I am not sure I am answering your question.

Mr CAUSLEY—I suppose the next step is to get an agreement on fishing effort. Then you would be best using that information that has been built up, which is based principally, I suppose, on catch history, and then coming to a mature agreement between the manager and the players in the fisheries as to what the effort should be for the particular year.

Dr Reichelt—I think that is the concept of where it can be achieved. That is what fisheries managers are trying to do. Why I put the qualifier on it is that the world is never usually that simple, particularly where there is a shared stock between, say, recreational and commercial. Where there are histories, they are collected in different ways and hard to bring together. But, in principle, the process you describe is what I understand fisheries managers to be trying to do.

Mr CAUSLEY—It does not happen in New Zealand. You have an adversarial system over there. You have the government on one side doing research into fish stocks and the industry on the other side doing research into fish stocks, and inevitably there is a conflict between the two.

Dr Reichelt—With the greatest respect to my New Zealand colleagues, I think they waste a lot of money by that approach. It is better, I think, to find some cooperative method where people are not duplicating the effort. You can waste money by that adversarial approach and, in fact, adopting that approach sometimes works against getting a mutual understanding of the best available knowledge.

I believe that that mutual understanding is needed for successful management because, ultimately, the users of the resource have to have a fair degree of acceptance of the assessments; otherwise the compliance costs go through the roof. I do not think it is good to come up with a unilateral assessment and then spend a lot of money enforcing it on an unreceptive user group.

CHAIR—Do you think there is too much emphasis on stock levels as opposed to habitat studies or actual marine biology studies?

Dr Reichelt—I would have to say yes, but it would be a question of priorities. The emphasis on stock is that that is the capital that an industry—whether it is a recreational one or a commercial one—can bring to bear, and it focuses the natural resource manager on the exploited stock first. But I think the issues for a mature fisheries management regime would have to include equal weight on the environment, the food chain that was mentioned before, the habitat—

CHAIR—Is equal weight given to those priorities today?

Dr Reichelt—No. There is not as much weight given at the moment to habitat as there probably should be, but it is a question of balance. It would be wrong to focus totally on understanding the habitat in great detail while there is lack of knowledge on the basics of the resource. They have both got to be brought along together. It would probably depend on individual resources—an assessment made that way—to decide whether, in some areas, habitat problems are more urgent. For inland fisheries, for instance, habitat is a big problem. The fragility of the coastal habitats and the shallow habitats is a problem for some fisheries, and many of our fish species do use the inshore areas.

Speaking from the Fisheries R&D Corporation point of view for a moment, we have commissioned a national review of all fisheries habitat research to try and get a better understanding of what is happening now in that area, because habitat studies can be very localised, with groups not talking to each other. We are due to get that report midyear.

CHAIR—Are there areas of research that you believe are being neglected that could affect the future sustainability of stock?

Dr Reichelt—The most difficult area, where research may be able to help, is more cost-effective data collection schemes, because the question of lack of fundamental data about who is using the resource and by how much keeps popping up—lack of knowledge or lack of timed series of data on users of the resource.

CHAIR—How do you achieve this more cost-effective collection of data?

Dr Reichelt—For example, looking for scientifically sound ways to make more use of the industry input—which came up before in our discussion—is an area that has some emphasis now, but I think it could have more. Another example is finding new technologies for stock assessment, such as recruitment indicators, where you monitor the incoming babies to the population, such as is used in the western rock lobster fishery. Yet another is finding out more about the basic biology, so that you collect data in an uneven fashion, but where it is needed.

I heard it mentioned earlier today that sometimes fish come and go, and it is the weather or it is something else. There is a strong school of thought that says that gemfish are heavily influenced by variations in the strength of certain currents and the strength of zonal westerlies blowing across Bass Strait. That basic research could translate into more effective monitoring schemes for the fisheries in the future. The trouble is predicting where those knowledge breakthroughs are going to come. That is why you need to sustain a basic research program as well.

Have I helped there? It is a tough area. The gap is simply knowledge of the resource.

CHAIR—That is the collection of the data and the getting of that knowledge. But we then move into the next problem area of analysing the information, and then there is the application of that knowledge. In your opinion, are those two areas being effectively managed?

Dr Reichelt—Three years ago I would have said that the biggest gap was not having biologically competent mathematical analysts and population dynamicists. But there has been a steady effort to hire more of those sorts of people in the fisheries area over the last few years and I am encouraged by that. There would be enough of those people now, if we had good quality data for them to be working with and modelling.

I would say that we still need to encourage the universities and fisheries research laboratories to think about the way in which they hire people. They need to be hiring people who are good mathematicians as well as biologists; whereas, before, there was probably a predominance of biologists. That is happening and it needs to be encouraged, but now we should also look at improving the quality of data and the basic knowledge of the resource. I would extend that, especially to the non-commercial sector.

Mr ANDREN—You have talked about developing recruitment indicators for some stocks so that the number of young entering the population are tracked. Can you tell us how you managed to do that?

Dr Reichelt—Different species reproduce in different ways. Through a sustained program of research into the western rock lobster conducted in partnership with the state agency during the 1960s and 1970s, the CSIRO developed a trap which would collect a representative sample of the young rock lobsters when they were very small. The researchers can predict reasonably accurately the size of the population two years into the future. That is what I mean by a recruitment indicator.

There has been work going on in the bays and inlets around southern Australia to try and achieve that for shark populations, which are not a very productive resource. There is work going on in my own agency which is, at this stage, basic but fairly strategic science on underwater light trapping techniques to catch mobile fish larvae. If those sorts of research studies can be achieved for a particular species and then distributed over the range of that species, it is like an over-the-horizon radar: you can see what is happening to the population before it is expressed in the catch levels or the adult level.

CHAIR—I think we have exhausted our questioning of you today. Is there any issue which we have not mentioned but which you would like to bring to our attention?

Dr Reichelt—No. I thank you very much for the opportunity to be here.

[3.13 p.m.]

DEWS, Mr Geoffrey John, Marine Strategy Coordinator, Torres Strait Island Coordinating Council, PO Box 501, Thursday Island, Queensland 4875

CHAIR—Welcome. We have received a submission from you and have authorised its publication. Do you wish to make any changes to that submission?

Mr Dews—No.

CHAIR—Would you like to make a brief opening statement before we move to questioning?

Mr Dews—First of all, I have apologies from the Torres Strait Islanders themselves. Two of them were due to come down to appear with me. It just so happens that the election of the chairman and supporting officers for the Island Coordinating Council, after the recent election, is being held today. It is probably the most important day in the next three years for the Torres Strait Islanders, so they send their apologies.

The other thing I would like to say is that I am obviously not a Torres Strait Islander so there are some traditional issues that I certainly cannot answer for. There are lots of issues on which not every Torres Strait Islander would agree, so my remarks should not be taken in the context that every Torres Strait Islander agrees with what I say.

CHAIR—We have noted that, thank you. Just to get on to the first matter, what do you believe are the key issues for indigenous groups in the management of Commonwealth fisheries?

Mr Dews—I will only base my experiences on the Torres Strait, and I certainly would not like to speak for other indigenous areas. The Torres Strait is a unique area. Most fisheries in Australia are single species fisheries and are managed that way—the shark fishery, the gemfish fishery, the orange roughy fishery. The Torres Strait fishery is a myriad of different fisheries. Some are commercially viable; some are not. The seafood that they catch is very traditional—for example, dugong and turtle, which come under AFMA management. For that alone, the Torres Strait fishery is unique and cannot be seen as a single species fishery. It has to be treated that way.

The resources, again, are not shared just among recreational, commercial and traditional fisheries. The stocks are common to PNG and are fished by both PNG nationals and Torres Strait Islanders for both traditional reasons and commercial reasons. So there is a myriad of management and resource issues up there which means that they cannot be treated the same as, I would suggest, mainland fisheries.

There is the importance of the traditional catch. Research has shown that the Torres Strait Islanders are the highest consumers of seafood in the world. That is probably an understatement of how much seafood they do eat. Their existence is based on seafood consumption.

Mr CAUSLEY—Following on that, you mentioned the fact that there is not just the traditional catch

but the commercial catch. Traditionally, there would not have been a commercial catch, would there; it would have been just for sustenance?

Mr Dews—I think there probably was some bartering. Anthropological records suggest there probably was some bartering of seafood at some stage.

Mr CAUSLEY—So now there is an actual commercial industry?

Mr Dews—Yes. An example of that is the tropical rock lobster. The tropical rock lobster is different from Russell Reichelt's western rock lobster example. These tropical rock lobsters are not caught in a trap. The only way that they can be caught is actually by someone diving and spearing them. It is a very low capital fishery because you need only a 14-foot dinghy and a 20-horsepower motor to go out and dive for these particular crayfish and sell them. Traditionally, probably some of that was used for consumption but now it is very much targeted for sale by the Islanders themselves and by some Europeans.

Mr NAIRN—I think we had some evidence on that particular rock lobster—I do not know whether it was formally or informally. There were some problems with them where some of the trawlers would pick up lines of them. The rock lobsters go on a march and great quantities of them could be picked up in a very short period of time.

Mr Dews—That is certainly true, yes.

Mr NAIRN—Is that an ongoing problem?

Mr Dews—I think AFMA has managed that very well. There is a limit now of how many lobsters you can have on your prawn trawler at any one time. I think it is two or three; it is a very small amount. The problem with that fishery is that it is increasingly being fished by the PNG side; we have no control of their management, but it is the same stock. This fishery in Torres Strait is unique in that we have the same stock which migrates from Australia into PNG under two different management regimes. AFMA has certainly developed a long process to involve PNG in all their management issues there.

CHAIR—You seem to be generally pleased with the way that AFMA has managed that. Are there areas for improvement that you could suggest?

Mr Dews—I think there are always areas for improvement when you are talking with traditional fisheries. An improvement would be to fit some of the Torres Strait fisheries for future use. I have read a number of submissions from other people where they have talked about the stocks now, and how they are commercially used. There are probably stocks in the Torres Strait which are not being used. Do not take this to be the only species, but it may be black coral which is used for carving or it may be live fish which are very predominantly caught in some of the Asian and Pacific countries. Those stocks have not been fully utilised yet but in the future there will be lots of pressure on them.

Any criticism of AFMA would be that it needs to take into account the future impacts that may or may not happen. It is not a fishery where you can use a MAC to get on the ground information. I think the

beche-de-mere fishery last year was an example where neither the MACs nor the fisheries working group was able to do any management regime until the fish stock had completely collapsed.

It took less than 12 months for that fish stock to dwindle from a boom and bust fishery. So any criticism would be that they are not reacting quickly enough to these small changes that may happen with such devastating effects. However, that is only a small criticism.

Mr ANDREN—In general, what is the relationship between commercial operators and the people of your region up there in the traditional areas?

Mr Dews—There is a perceived view that their trawlers do make an impact on their traditional fisheries. CSIRO has done a lot of work to say that that is not the case, but there is a perceived impact by commercial fisheries on their fish stocks that they traditionally fish; it is perceived that there is some link. That has never been proved, and there is probably not a direct link.

Mr ANDREN—It strikes me, given the longevity of the traditional fishers in the area, that they are probably in a better position than most to have a historical record—even if it has just been passed on—of fish stocks. Do they pass on this information?

Mr Dews—There has been a number of research programs by anthropologists up there to suggest that is not the case. If you look at the history of the Torres Strait Island fisheries, there has been a massive boom and bust. That relates back to an initial beche-de-mer fishery; the pearl fishery, which established Thursday Island; a huge boom and a massive bust; and again a beche-de-mer fishery. That is the cycle, and it is very much the Torres Strait Islanders who have been involved with that for over 100 years. There are very few strategic records for that, but I get your point that there may have been. AFMA does have a program, along with the island coordinating council, to determine what the traditional take is per community. It may be integral that the fish that Torres Strait Islanders take is of no commercial value to anyone else. Their preference for a fish species may be completely different from some commercial catches.

Mr NAIRN—You mentioned in your introduction that AFMA is involved in the management of the turtle fishery as well. Would you give me a bit of background information on how AFMA is involved in that from a traditional point of view?

Mr Dews—The turtle and dugong are within the Torres Strait protected zone which is part of the PNG-Australia treaty. Management of the turtle and dugong catch comes under AFMA. However, the treaty states that traditional people are allowed to take an unlimited amount of turtle and dugong—that equates with hundreds per year per community. AFMA is involved in an education program, which is supported by the island coordinating council and some of my programs. It is an education program that says the stocks may be at the limit of take at the moment, and that any increase in the take of turtle and dugong may mean stocks declining rapidly.

Mr NAIRN—Is there much research going on?

Mr Dews—There is. There has been quite a lot of research going on over the last 10 years into turtle and dugong takes—that is from community resources and aerial surveys.

Mr CAUSLEY—Are they consumed within the native population?

Mr Dews—They are consumed within the native population, but remember that more than 70 per cent of Torres Strait Islanders live on the mainland so there is a net loss of Torres Strait produce which is shipped out of the Torres Strait for traditional use—to Townsville, Cairns and places like that. It must be remembered that turtle and dugong are forbidden for sale—that is not the case in PNG—although anecdotal evidence suggests there are sales of turtle and dugong still going on and, again, it is the same stock.

Mr NAIRN—Is there much of a black market in Australia?

Mr Dews—I would suggest not in Torres Strait. Certainly, anecdotal evidence suggests PNG may have some such markets.

Mr CAUSLEY—How effective are the negotiations between AFMA and PNG about managing the mutual stock?

Mr Dews—Over the last three years, there has been a huge gain in trust and inroads into that area. An example would be that AFMA and the island coordinating council have trained PNG nationals to go back to collect traditional fish data from their communities. That has never been attempted before, and AFMA was very much involved with that. On the same level, CSIRO was also very much into training PNG nationals in fisheries management so over the last three years there has been a very strong link, and that is increasing.

CHAIR—I noticed that in your submission to us you have actually said that over the last four years AFMA staff have been able to achieve a unique trust and respect from the Torres Strait communities, and you go on to describe that. Could you tell us the methods used by AFMA to achieve that? What sort of things did they do?

Mr Dews—Remember that Thursday Island is really not a traditional Torres Strait Island community. This is not to be disrespectful: communities on the outer Torres Strait islands take Thursday Island to be very similar to Canberra. It is where the white bureaucrats live and where all management live.

CHAIR—It sounds like a fair analogy to me.

Mr Dews—I think it is very close to it. So what happens? To actually go to these outer communities is not an easy task. You can get there by light aircraft, and it is very time consuming and very expensive, as you can imagine. But AFMA staff, of which there are one European and three Torres Strait Islanders, two permanent and one part-time, and our own staff from the island coordinating council at different times visit and spend quite a deal of time out on the outer communities. AFMA can never see that as productive. In any other fishery, you would not see that as productive work, but it is very much that you might sit through meetings, discuss with fishermen and councils themselves about very simple things, about what management issues are, what terminologies are in fisheries management, what a MAC is—a simple thing—and what a MAC works for, and what we would call a fishery standing stock—just simple terminologies and getting this trust where they continually visit the outer communities.

It is very expensive and extremely time consuming. But the island coordinating council see that as a very important part. Previously that was not undertaken, and without that there was a distinct gap between management and people actually having a say in fishery issues.

Mr NAIRN—We had some evidence earlier today that a lot of that education also took place with the utilisation of the *Wauri*, the ship that does surveillance and other things. It has now been sold to Customs and is being used by AFMA still for surveillance for 110 days. It was originally 174. It was 174 the year before. We were told that a lot of those days were used for things like the education program, but that is now being handled in other ways. Have you noticed a change in that regard?

Mr Dews—That is a difficult question to answer, because I think removing the *Wauri* from change of ownership has had very little impact on the education program. The education program within AFMA did not depend solely on the *Wauri*. I think it probably increased with the sale of the *Wauri*.

Mr CAUSLEY—I suppose the only other question exercising my mind at the present time is how much conflict there was in the past between these communities over the resource.

Mr Dews—Traditionally?

Mr CAUSLEY—Yes.

Mr Dews—There is a thing that is called the home reef. Each community claims a home reef area. It is definable and it is certainly mappable. We have had a lot of effort over the past two years to look at the spatial scales of which communities catch which species over what area. We are reluctant to release that data because of native title and sea title issues, because there may be some conflicting evidence there. Purely on a biological point of view, each island has a zone that they traditionally fished in. Traditionally, for one community to fish in someone else's zone, you required permission from elders to do that. That is not strictly adhered to now.

Mr CAUSLEY—And if you did not get permission there was, what, a war canoe?

Mr Dews—Basically, yes. There were communities wiped out, and possibly over fishing rights and resources. But it seems to be now that it is a traditional base and, although the Islanders themselves would like to find some method to manage those home reefs themselves, that is probably a very difficult task. Certainly AFMA would find it very difficult to do, because there would be a lot of conflicts between communities, or overlapping resource areas. But most communities have some sort of recognition of those home reefs and would like some sort of management control of that. At the moment, they accept that AFMA manages on their behalf. That is something, I guess, that hinges on native title and the 67 claimants to what are mostly sea claims in the Torres Strait. A lot will depend on that. I certainly cannot comment on the outcomes of that.

Mr ANDREN—What is the understanding of commercial fishers about the requirements of the traditional fishing activities? Do you see any conflict emerging, or is it happening all the time?

Mr Dews—There is certainly a conflict. The prawn fishery, which is probably the most lucrative fishery up there, is 100 per cent owned and operated by non-Torres Strait Islanders. Torres Strait Islanders own three licences or have access to three prawn licences but as yet have not taken that offer up. They took one up just over 10 years ago and that did not succeed. There is a lot of pressure now for them to take those three licences up. I think the prawn fishing industry itself has no objections to that at all, and have stated that many times. It is a matter of education programs and capital for the Torres Strait Islanders to actually take those licences up and go prawn fishing and then share in the large commercial catch.

Mr ANDREN—That does not strike me as conflict; that is more cooperation. The commercial fishing industry is prepared to wait until those skills and capital develop to take them up.

Mr Dews—I think that is true. I do not think there is a conflict at the moment because the resources are not shared. Prawns are not shared; they are purely a European thing, and for Islanders they have never been a traditional food source. It is high capital compared to a lobster fishery, which is a low capital fishery. Again, you can probably get a return from a fishery from a small 14-foot dinghy as much as you can from a half a million dollar prawn trawler. Any Islander has exclusive rights to fish that commercially. They do not have to have a licence; they do not have to have qualifications to do that. Basically, they just have to want to go and do it. There are a number of freezers and buyers over there that will buy their product, so there are no problems there.

There does not seem to be a commercial impact at the moment. But that is not to say that in the future there will not be commercial impacts from, as I talked about before, live fish trade, maybe some coral species, maybe the live aquarium trade. Some of us see those things in the future as potentially having conflict. I go back to my earlier remarks that AFMA, if there is any criticism, needs to be crystal ball gazing to see what the potential would be and what the conflicts would be and to have in place management techniques.

It is a remote area. Things can happen up there in six months. You may have a lot of infiltration from foreign fishing, maybe using another technique which Torres Strait Islanders could pick up, and by the time it is actually addressed it may be too late. It is going back to the question of AFMA maybe needing to be crystal ball gazing and to identify techniques or fishing species which need to be closely monitored and have management plans in place, although there is no need for them right now.

Mr CAUSLEY—My visits through South-East Asia, from Hong Kong through to mainland China itself, I suppose, suggest that they are foraging further and further afield for fish for their own domestic use. Do you find any of the Asian fishing fleets coming down into that area?

Mr Dews—There certainly has been some foreign fishing, very much on the border. Anecdotal evidence suggests that we may manage stock, particularly like the mackerel stock, at so many thousand tonnes per year, and that is spread over 12 months for 12 to 20 fishermen. But a foreign fishing vessel just outside the border might catch three times that in one trip. So there is a problem with foreign fishing there. Again, you really need to talk to boating patrol to get a handle on that.

What I am more concerned about is not from the foreign fishing fleets but from the foreign fish

buyers. You have probably experienced in Asia and elsewhere the live fish trade. It can be devastating to corals. It is not in the Torres Strait but anecdotal evidence suggests that it may be starting in PNG, and it is inevitable that it would drift into the Torres Strait. So I think that those are the things that we need to be wary of and have some sort of education programs on before it gets to the destruction stage, and that again is expensive and long-term thinking. I think that is what the island coordinating council would be very supportive of. And that is their opinion—that we need to look at where we will be in five years time.

CHAIR—I think we have finished with our questions. Is there an issue that we have not asked you about that you would like to raise with us?

Mr Dews—No. I just reiterate the potential of the new fisheries up there and ask whether management has got the potential to actually manage those.

CHAIR—We have heard it loud and clear.

Mr Dews—Good. I think that is the take home message.

CHAIR—Thank you very much. I now call the very patient representatives of the Northern Land Council.

[15.35]

CHRISTOPHERSON, Mr John Lyle, Board Member, Cobourg Peninsula Sanctuary and Marine Park Board, c/- PO Box 496, Palmerston, Northern Territory 0830

PENDER, Mr Peter John, Senior Project Officer—Marine, Northern Land Council, Rowling Street, Casuarina, Northern Territory 0810

CHAIR—We have received a submission from you and have authorised its publication. Are there any changes that you wish to make to that submission?

Mr Pender—No.

CHAIR—Before we begin our questions, would you like to make a brief opening statement?

Mr Pender—Yes. The Northern Land Council represents the majority of Aboriginal traditional owners in the Top End of the Northern Territory. Under the Aboriginal Land Rights Act, Aboriginal people have title to over 80 per cent of the coastal land. They have major interests in the coastal environment and seek much stronger representations in marine management and business arrangements in the seas adjacent.

CHAIR—Thank you. Could we start by asking you to describe to us the key issues for indigenous groups in the management of Commonwealth fisheries?

Mr Pender—On the generic level it is basically a major input into management of the resource. There are several issues dealing with sacred sites and traditional hunting areas, and by-catch enforcement and research. But on the general level, if you like, it is increasing that influence over management decisions. At this stage people have got quite a small-scale influence over that.

CHAIR—Could you describe for us the level of input that you have into management now? You have stated that you want a greater input. What input do you have now?

Mr Christopherson—In relation to the overall fisheries, if you take the whole gamut of fisheries in the Northern Territory, our input is limited—if there is any at all. In relation to the Cobourg Marine Park, we are starting to establish a joint management regime under the Cobourg Peninsula Aboriginal land and sanctuary act. However, in relation to the management of the fisheries we have been given an empty plate. The Aboriginal people of Cobourg Peninsula have been given the control and management of the marine park, but the fisheries—the commercial fisheries—have been excluded from it. Those fisheries include barramundi, mackerel, shark, mud crab, dewfish and reef fish. So our concern is that we do not have any say in the fisheries that have taken place. As we said in our submission, our main concern is to look at what the Commonwealth coastal policy of 1995 was, and presumably still is, and that is that Aboriginal people around Australia will be given more say.

Mr NAIRN—What is your involvement on the NORMAC?

Mr Christopherson—None.

Mr NAIRN—None at all?

Mr Pender—No. there is no Aboriginal representation on NORMAC, or on AFMA, to my knowledge. Just to expand on what John was saying previously, in relation to areas of the Northern Territory such as the Cobourg Marine Park borders there is certainly a formal arrangement for joint management, but in other areas there is little or none. There are some regional advisory committees which have been set up with the Northern Territory government. The land council supports these if the traditional owners in that area support them. Many have said that they will be involved but others have said no, they do not want an advisory role in our dealings with government; they want joint management or stronger arrangements. There are some things in place but these only go toward what Aboriginal people are saying.

Mr CAUSLEY—Traditionally, what species did the Aboriginal people catch and how far did they forage offshore for the species?

Mr Christopherson—Historically, Aboriginal people across the Top End of the Northern Territory have travelled extensively out to sea and, indeed, have at different times spent days sitting in a canoe trying to reel in a turtle of some size. We have oral history that has been passed down of transfers of people to sit in the canoe hanging on to the turtle after a week or so. So people are out there hunting.

The main fisheries have been turtle, dugong, a lot of mollusc, and a lot of crabs and what have you. In terms of reef fish, there has been a lot of reef fish but a lot of the fishing has taken place with spears. You are looking at stingray, barramundi, and different intertidal-type fish. But in terms of reef fishing, the fishing that took place was not like the fishing using a spear or a line but rather was a vine that was crushed and dropped overboard, so causing the fish to either go to sleep or whatever it is and then float to the top.

Mr ANDREN—What is trepang?

Mr Pender—That is a sea cucumber, beche-de-mer.

Mr ANDREN—Right.

Mr Pender—Just in reference to one of the earlier speakers, one of the questions asked was: what interaction have traditional owners in the past had with strangers or commercial fishermen? The trepang industry was very reflective of quite a relationship for centuries. Macassans came down from Indonesia and traded with Aboriginal people with trepang, which is essentially intertidal or subtidal. That trade may or may not have involved money but there were other goods that were exchanged.

There is also, within the Aboriginal communities, quite defined sea countries of people. If somebody from a neighbouring clan, for instance, wanted to hunt turtle, dugong or crab or whatever in those seas they would need to seek permission from those clan owners. We would argue that those traditional rights and sea country needs to be reflected in modern day management.

Mr Christopherson—Given the fact that those systems still operate today, if somebody wanted to come to the area of sea that we consider to be part of our estate then they are obliged to seek permission, and in the main it is given. There is no real need to not give the permission; it is of mutual benefit. I guess, following on from that is the concept of sea rights for Aboriginal people and indigenous peoples around the coastline. There is this notion that to accept sea rights, or claims to the seas, is mutually exclusive of any other commercial operation, but that is not necessarily the case. What we are talking about, in terms of sea rights, is exercising our inherent rights to control and managing the use and occupation of areas that we consider to be part of our estate. In having said that, I am not just talking about the seas; I am talking about the land, the seas, intellectual property and the whole gamut of what we consider to be our inherent rights.

CHAIR—You have listened to the previous witness talk about the AFMA model in dealing with indigenous peoples and the high level of trust that has been built up through using that model. Has that been your experience?

Mr Christopherson—Peter has had more experience in dealing with AFMA, given his history. In relation to the Cobourg Peninsula board, no, we have not had a lot of dealing with AFMA. We have just started to have dealings to establish a plan of management for the marine park surrounding Cobourg Peninsula. We would like to have a lot more dealings with AFMA about how we see the prawn industry operating within the marine park. We would also like to have dealings with AFMA about the Orontes Reef, which is just outside the marine park but which we would like to include in the marine park. It is under Commonwealth jurisdiction.

In relation to AFMA itself, I see that there is a role, particularly about our dealings with the prawn industry. We have concerns about the prawning industry. We are trying to address that and perhaps we have to use AFMA to deal with that. One of the things that we are looking at is the number of trawlers that use Port Essington on the Cobourg Peninsula as a safe anchorage area or an anchorage area. We understand what is happening in relation to by-catch reduction devices, and in particular TEDs. We would like to make it mandatory that any prawn trawler wishing to use the marine park as a safe anchorage or an anchorage area has to have those devices on board. Currently, they are not a mandatory item in the prawn trawling industry.

We would also like to be involved more in research in the area. In particular, we want to know what is happening in the seagrass beds that the prawning industry utilises. We do not have any base information on the seagrass beds—for instance, what their carrying capacity is at this point in time, not that it would do us much good, because prawning has been going on for quite a few years. We would like to talk to the prawning industry about the possibility, sometime down the road, of the industry fishing for two years and then having 12 months off, fishing for two years and then having two years off, fishing for one year and then having two years off. We can then start to establish some information on what happens to the seagrass beds, and indeed the stock, when there is some mechanism for limiting the pressure for a time. These are things that we are going to have to negotiate in the near future.

CHAIR—When you talk about wanting to be involved in that research, do you mean that you want to conduct that research, or do you want to work together with the scientists?

Mr Christopherson—Both of those things.

CHAIR—How would you achieve both of those?

Mr Christopherson—We would like to have the Aboriginal people around Australia who are pursuing different degrees, or whatever, through academic institutions involved with it. We would like our people who are local to the area to participate on the ground in whatever way possible. But, more importantly, I would like to see our people involved in recommending the sort of research that should happen. At the moment, any research that takes place within the Cobourg area is not of our choice. We go to a board meeting and at that board meeting we are presented with the number of people who want to conduct research. It is a system whereby they run it past the board and everyone gives the okay. We would rather be able to say that we would like to see research in a certain area. Of particular interest to us is the mud crab.

Mr Pender—Again, the area that John is speaking of is probably of stronger capacity for Aboriginal people to influence than other areas of the Northern Territory, because it is a joint managed marine park. So John is talking from a stronger position than most other coastal Aboriginal communities at this stage.

CHAIR—I seek a point of clarification. Do you want to set the priorities for the research or do you want to collaborate through a MAC to determine the areas of research, in conjunction with others?

Mr Christopherson—It is a bit of both. I would like to be involved in setting the priorities, primarily because of the historical evidence that we have—not so much written down but passed down orally—of what the fishing stock used to be in relation to mud crabs, turtles and dugongs. Put it this way: there is turtle monitoring going on at the moment on the Cobourg Peninsula. A lot of that information is collected by the non-Aboriginal rangers and passed on to somewhere else, for whatever reason. We do not have a real lot of input into that except that, when some of our people go out and hunt, they would like to take measurements of the skull and the shell.

If we were more involved in the development of that research, people would not be so sceptical about it all. A lot of people are saying, ‘Hang on a minute. What do you want this information for?’ The fear is that we could end up where it may be used as evidence against our people hunting those fishes or turtles and dugongs in the future.

Mr NAIRN—This comes back to the point that was made by the previous witness. An excellent relationship seems to have been built up over the last few years between AFMA staff and the various communities through the Torres Strait Islands. There is that trust so those things can be done. By the sound of it, similar things need to be done across the Top End. Some of the aspects that you are commenting on there really come down to being involved at the MAC level. Look at all the fisheries around Australia. That input is coming in from groups that have a responsibility and an involvement in a particular fishery. It is through their involvement in the MAC that they can help set priorities for research and all sorts of other things. That is an aspect that needs to be addressed.

In your submission you talked about a permanent Aboriginal representation on the AFMA board. That is always a possibility as well. But where does that person come from? AFMA covers the whole of the Commonwealth fisheries, not just the northern part. The real input that you are looking for should be at that MAC level.

Mr Pender—Would you be suggesting at the NORMAC level?

Mr NAIRN—Yes.

CHAIR—Have you seen a working example of the sort of model we have just heard about in regard to the Torres Strait?

Mr Pender—No.

Mr Christopherson—No.

Mr ANDREN—It says here that you want AFMA to encourage the Northern Territory department to honour its commitment that there will be Aboriginal representation on your inshore MACs. How long ago was the commitment made and why has it not been honoured?

Mr Pender—A lot of it is extremely political up there, as you would imagine. There was a commitment on paper on two different occasions in 1995 to our ex-director of the Northern Land Council from the minister saying that he would consider in principle the idea of permanent Aboriginal representation on inshore fisheries committees. There was a second letter put out quite soon afterwards along those lines. There was even a five-year strategic plan done with the department, who liaised with the NLC, toward that end.

We recently put that to the test when our new CEO, Norman Fry, was invited to BFAC, the Barramundi Fishery Advisory Committee. We put quite a formal recommendation in there that he be nominated as the member. That has been rejected and the alternative now is that occasionally Aboriginal people be invited onto the committee as the committee see fit. Instead of a single permanent representation, it was very much temporary, and it was up to those on the committee insisting on the commercial recreational interests and government deciding on when and when not Aboriginal people should be represented.

Mr ANDREN—It strikes me as we travel down the path, whatever the outcome on the native title issue, it is imperative that there be at least some representation in these areas. Do you see potential for impasses over these areas?

Mr Pender—Certainly. The history of both representative groups, if you like, the government and the NLC, has been mixed. At the end of the day, who knows? Management evolves and there are two different levels of management. One is at the regional level, which is certainly a great step, and it offers Aboriginal people on the ground the ability to deal with a lot of issues with all those people in communities. The existing level is at the species MAC level, wherein it is quite hard for one Aboriginal person to represent all others' interests in, say, mackerel. That is where we would argue that the land council, as the mainland representative body, should have membership and, as issues arise pertinent to that regional area, should bring those traditional owners to the committee.

There are two other land councils in the Northern Territory—Anindilyakwa and Tiwi—who are quite independent from us, and obviously we would not seek to address issues in their regions. We would have to

accommodate some form of sitting aside when those issues are raised—or dual representation. There are other management means which are probably far more effective for Aboriginal people but, within the existing framework, that is how we see it.

Mr CAUSLEY—Mr Pender, in your submission there are two areas I want to mention. One is under the prawn industry where you say:

AFMA on behalf of the Commonwealth, when collecting a payment in the nature of a community return from those who exploit the NPF, forward some revenue or ‘in kind’ support back to coastal Aboriginal communities.

On the pearl industry you say:

These agreements should include provisions for remuneration . . .

Could you expand on what you mean by that?

Mr Pender—This is a very difficult issue with mainstream society. Many traditional owners are saying that they want some money from the fish that people take from their sea country. That is what people say. I know at this stage that that is not acceptable to mainstream society. A means of trying to work through that is the use of an independent company, such as pearling licensees who are very site based and who need to be in an area for a long time to produce pearls for money, and they need access to land and facilities.

Mr CAUSLEY—Is that for the cultured pearl industry?

Mr Pender—Yes, the cultured pearl and the wild stock pearl, which is Commonwealth or joint managed. We would see that some package deal would be good. If traditional owners wanted to deal in business where money, employment opportunities and sacred site protection are mentioned, what traditional owners can offer under their existing framework is access to land, facilities, airports, et cetera. It would be towards a win-win situation on business arrangements.

At the other level with the prawn trawlers, remuneration is very difficult in the sense that they are not regionalised fisheries, and they are not site based. Perhaps there the form of remuneration would be more likely to be generic rather than an individual business agreement.

Mr NAIRN—John, what is the arrangement with the board and the pearl industry around Cobourg? A few years ago I did a number of surveys for leases and things on Cobourg Peninsula for land based aspects of the pearling industry. There seemed to be fairly good relationships and control. Has that developed in recent years?

Mr Christopherson—Yes, there are three land bases—Knocker Bay, Port Bremer and Raffles Bay. There are actually five bays that are set aside or excluded from the marine park as pearling lease areas. At the ‘Turning of the Tide’ conference that was held in Darwin a couple of years ago in relation to sea rights, the pearling industry did not have any difficulty coming to terms with Aboriginal sea rights. That is not to say that they were standing up and championing the cause, but they did not seem to have any problems coming to terms with it.

In relation to the land based operations, there is a lease payment. But the lease payments that have been received probably do not reflect what the current value of that industry is, as opposed to the value of the industry when the lease was developed. The pearling industry has gone ahead in leaps and bounds, but we have been left far behind in terms of what we negotiated. But we will probably address that in the next 15 years when the leases are up for renewal.

Mr NAIRN—There was good liaison and cooperation, as I recall, because I remember having to define boundaries and various things, very much under the watchful eye of traditional owners.

Mr Christopherson—In relation to the pearling industry, there are some sacred sites within the lease areas. In the main, the pearlmen have been careful not to go anywhere near those places. But the main divers in the pearling industry are Torres Strait people. Through the board, we recognised that they are sea people—as we are—and, through the board, we allowed each of the pearling camps to take one turtle per week to feed themselves. Unfortunately, some of the younger people were getting turtle, taking it into town and not using the turtle as we designed it, so we had to revoke that. We are now prepared to sit down and talk again.

But, while we are talking about turtle and the management of turtle, in designing—or looking at now developing—the plan of management for the marine park, we have set limits on the turtle that we will take ourselves. If somebody wants to go out and hunt turtle, we have talked about allowing them to get only one turtle for the people on that boat. So we are trying to self-impose restrictions on that sort of fishery, primarily because of what we can see through oral history—people have said, ‘There used to be a lot of turtle in this bay here. Today it is difficult to get it.’ We do not know what the cause is. We can all speculate: is it the trawlers or the fact that the turtles are migrating to Indonesia and being harvested over there or what? We do not know. But we are trying to self-regulate so that we can manage our own resources there.

That is true not only of turtle but of dugong as well. We are going to set aside areas where there will be no hunting at all for turtle and dugong, so that we can develop some breeding areas—particularly where there are good grass beds. We would like the opportunity to talk to some of the bigger organisations like AFMA about all these sorts of issues.

Mr Pender—Speaking with Larakia people around Darwin as far as turtle and dugong goes, it is again reflecting their concerns for native title sea rights. They say, ‘If there are Aboriginal or Torres Strait Island people from other areas who come and live in the city, they should seek our permission to hunt those turtles through some formal management system or arrangement.’ That goes quite a long way towards achieving how things used to be before non-Aboriginal people were here.

Mr CAUSLEY—How many Aboriginal people have obtained work in the pearling industry?

Mr Christopherson—None from Cobourg. A lot of our—

Mr CAUSLEY—Did they have the opportunity?

Mr Christopherson—I guess the opportunities were there but, although they are coastal or saltwater people who have been out hunting in the deep water and that sort of thing, our people are not divers in the

main—as opposed to Torres Strait Islanders, who have a long history in the pearling industry and are divers, as we heard earlier in relation to lobster and what have you.

Mr Pender—There are two other licensees operating who wish to deal with traditional owners, one at the southern part of Croker and another group up at the islands of north-east Arnhem. We are entering into legal contracts—or toward that—which recognise the sea leases, those employment opportunities, and environmental and sacred site concerns. The pearling industry, generally, is more proactive than other commercial industries.

Mr NAIRN—The pearling licences near Darwin are held by Aboriginal groups, are they not?

Mr Pender—Used to be, but it is not the case now. The Tiwi people have a 15 per cent interest in Tiwi Barrier Pearls. That came from an historical thing—

Mr NAIRN—Originally it was 100 per cent of two licences.

Mr Pender—Yes. There was another one, I think, with ourselves quite a long time ago. But they are not current these days.

CHAIR—Have you made known to AFMA your wish to be part of the management process?

Mr Christopherson—Yes, we made them aware at the last meeting. There was an advisory committee—

CHAIR—What sort of response did you get?

Mr Christopherson—I cannot recall. It was probably a wait and see response.

Mr Pender—Yes. There was a planning team meeting at Cobourg—John is a member of that as well as being a member of the Cobourg board—and AFMA representatives were invited up, as indeed were the Fishing Industry Council, the amateurs and the fishing industry, and parks and wildlife. At that stage, traditional owners asked AFMA to investigate various options whereby Aboriginal people would gain greater management participation. So we are awaiting some formal response on that.

CHAIR—You have had no response as yet?

Mr Christopherson—No.

Mr Pender—No, but that meeting was only quite recent.

CHAIR—How long ago was that?

Mr Christopherson—Three weeks.

Mr ANDREN—Would you want to be represented on NORMAC? Would you want to retain autonomy within the umbrella of AFMA or would you see yourself as a significant participant, the same as in any other fishery around Australia?

Mr Christopherson—There would be a bit of both. In relation to AFMA, we would like to be there as part of the overall body and with an equal status to other members. As you have already said, it would be a big job for one person to represent the views of Aboriginal people from around Australia on that committee. So we would look at establishing further what we have begun in the Northern Territory, and that is regional committees. One of the committees goes from just past Darwin down the coast of Kakadu and another towards Port Keats. There is another one from Cobourg across to East Arnhem Land and then there would be another two down the eastern side of the territory. If we were able to get those committees operational, and bring them together now and again, representatives from those committees could then participate in AFMA knowing what the collective view is. That would be ideal.

Mr Pender—I think we have to deal with it at both the regional level and the generic level.

CHAIR—I think we have exhausted our line of questioning. Is there an issue that we have not raised that you would like to raise with us?

Mr Christopherson—There are a number of issues on Aboriginal affairs.

CHAIR—I mean within the terms of reference of this committee.

Mr Christopherson—In relation to the fishing industry, coastal Aboriginal peoples of Australia have participated in the fishing industry for a long time. What is happening today is that Aboriginal people are being ignored in the whole process that is taking place. I would appeal to this committee to please not overlook the Aboriginal people's inherent rights and inherited knowledge of what is out there. I would encourage the fishermen themselves to join together and make sure that, rather than bluing about what is going on out there, we join together and protect each other's interests. In the main, we, as Aboriginal people, are looking at protecting a resource for the future generations. I am saying that because I would like to think that in 20 or 30 years time I will have a grandson who is able to pick up a spear and walk along the coast of Cobourg and spear a fish. Unless we work together, it is not likely that that is going to be able to happen. So I would advise that you look after our interests and invite us to participate in all these committees. I will leave it at that.

CHAIR—In closing, could I thank you, in particular, as the last witnesses to appear before us today, for your patience and your interest. I have been aware that you have been observing all day. I would also like to thank the other witnesses who have remained for the duration of the day and for their interest.

Resolved (on motion by **Mr Fitzgibbon**):

That, pursuant to the power conferred by paragraph (o) of standing order 28B, this committee authorises publication of the evidence given before it at public hearing this day.

Committee adjourned at 4.10 p.m.