

26 February 2001

Mr John Carter
Sectional Committee Secretary
Parliament House
Canberra

Email: jcpa@aph.gov.au

Dear Mr Carter,

INQUIRY INTO COASTWATCH

Thank you for your letter of 8 February 2001 and the transcript of evidence taken by the Joint Committee of Public Accounts and Audit in regard to the public hearing held on 30 January 2001. I confirm that the transcript is an accurate account of the evidence given to the Committee by AFMA officers, Mr Frank Meere, Mr Geoff Rohan and myself. I would appreciate a copy of the final transcript when available.

In regard to a question taken on notice, on PA 311 of the draft transcript the Vice Chairman, Mr Cox, in relation to illegal foreign fishers sought further information on the number of recidivists and the penalties that they have been getting.

The following table outlines the number of illegal foreign fishers detained and those who were known to be recidivists.

	Thurs. Is		Darwin		Broome	
	# detained	recidivists	# detained	recidivists	# detained	recidivists
1998	0	0	255	5	241	92
1999	32	0	209	8	184	48
2000	124	5	255	10	124	28

It is important to note that it is difficult to identify recidivists as they do not as a general rule carry identification papers and regularly use false names.

From the table it appears that the incidence of recidivism in Broome appears to be greater than that experienced where offenders are detained in Darwin. This may not necessarily be the case and the differences in the figures could be explained by the different types of fishing operations carried out by vessels which are taken to both locations. It is usual practice to prosecute the Master of a vessel. However, where it can be ascertained that the crew have an active financial interest in the illegal operation, which has been the case with vessels targeting Trepang, the crew are prosecuted along with the Master. Historically, more of these types of vessels have

been taken to Broome rather than Darwin and as a consequence the likelihood of recidivism is greater.

In Queensland, a single offender has been charged on three separate occasions while in Darwin, one offender has been on apprehended on five occasions. In Broome it is not uncommon for offenders to be apprehended on three separate occasions and sometimes more. One offender from Maginti has been identified on nine separate occasions.

In terms of penalties, these can include fines which can translate to a gaol term if the offender is unable to pay, good behaviour bonds for periods ranging between two to five years and gaol terms for recidivists who have broken the terms of good behaviour bonds handed down for previous offences. Goal terms for recidivists have ranged from thirty days to five hundred and twenty five days. On almost all occasions, the vessel, catch and equipment have also been forfeited to the Commonwealth.

I hope the information outlined above answers the query raised by the Vice Chairman and if you require any further details please contact me on telephone number 6272 5682, facsimile number 62725784 or on Email: peter.venslovas@afma.gov.au.

Yours sincerely,

Peter Venslovas
Senior Manager
Compliance Section