

5th September, 2008

Senator McEwen, Chair

Senate Standing Committee on Environment, Communications and the Arts

Dear Senator McEwen,

Please accept this submission to the inquiry into the Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.

My name is Glenn Cox. I work at a coal mine in the Bowen Basin where I am the Electrical Engineering Manager. I live on site through the week Monday to Friday and travel home to my family on the weekend. On my all too few days off, weather and other commitments permitting I love to go fishing with my young son just as my dad used to take me when I was a boy. I love to teach him new things, to see his face light up when he catches a fish and hear his excited retelling of the day's events to his Mum and little sister who is still a bit too young to come out with us yet. We do not often bring fish home for dinner and go to great lengths to ensure the ones we release have the best chance of survival possible. Besides, we both get as much enjoyment from seeing them swim away as we do catching them. I have made it a priority to teach him to be a responsible fisherman as I want him to be able to do the same with his children one day.

We fish mainly around the coast and islands of the Mackay and Whitsunday area and have had many wonderful experiences in this great part of the world. I have never written a letter to government but after hearing of proposed changes to the bill I felt compelled to write this letter to you as many recreational fishermen including myself felt that they had been discriminated against, lied to and cheated after the last submissions were made to the GRMPA. I, like all recreational fishermen want to see our Great Barrier Reef protected and I do not see any need to further increase restrictions on recreational fisherpersons. Current zonings, weather, the cost of fuel & Bait, spawning closures and bag/size limits are already effectively protecting reef fish stocks.

I would like to highlight my concerns Re. the following.

Criminal Convictions

To have a criminal conviction recorded against a persons name for their first offence of fishing in a green zone is ludicrous and goes against the very nature of being an Australian and giving everyone a fair go. I know some of these people that this has happened to and they are otherwise honest law abiding people who were simply fishing where they should not have been and were not aware of the fact. Ignorance is not an excuse I know and I am all for people being caught fishing in green zones being fined but for a judge to have no other option but to record a conviction against these people because of the way this law was drafted is wrong. Violent criminals have received more leniencies for worse offences.

This law needs to be changed and those people should have the convictions overturned.

Powers to Inspect

Giving GRMPA inspectors more power to wield against normal people out for a days fishing enjoying the reef with their families than police officers would have in trying to apprehend a murderer or rapist that they are investigating would have be the most ridiculous provision of the whole GRMPA debacle. GRMPA inspectors should not have the right to board a vessel and “frisk search” the occupants on suspicion without a warrant. It is a violation of the basic rights of every person living in a civilised country such as ours to be treated this way. If a person is caught fishing in a green zone then it shouldn't be too hard for the inspector to prove in this day and age without using brown coat tactics such as this.

I ask that these powers be removed.

Definition of fishing

If I have my depth sounder / global positioning system turned on while I am navigating through a green zone could this then be construed that I am “attempting to search for fish”? If so I could be fined and have a criminal conviction recorded against my name simply because I was trying to navigate reef waters safely. Amendment 9 Subsection 3(1) parts (a), (b) & (c) makes assumptions that are open to abuse. Even more worrying is that the greens want to move the definition of fishing into the offences and civil penalties section of the act so that the “offender” has to prove his or her innocence. This is unfair and has no place in Australian Law. Merely having fishing equipment on board in or near a green zone could be seen as intent to fish in the green zone and would be for the average person near on impossible to defend.

I ask that the definition remain where it is and I ask that it be reworded to reflect the act of fishing or taking of fish

Legal Defence

This act tries to take away basic legal rights of defence.

I ask you to strike out the clauses.

Precautionary Principle

This is flawed because it allows GBRMPA to impose restrictions and zonings without any scientific basis. There are already severe restrictions placed on where recreational fishermen can go and what they are permitted to do when they get there. Further restrictions should not be allowed unless an independent scientific study can firstly show what benefit, if any, the current zonings have achieved, and secondly present a compelling case with hard facts to justify any additional zoning.

Again this clause needs to be struck out.

The goals

Why do the greens want the goals changed from “sharing and wise use” to “conservation”? What impact will this have on recreational fisherpersons such as me? Is this the greens next step in totally excluding me and my family and countless other families like mine from going fishing in the Great Barrier Reef Marine Park? It has been proven in studies that the Great Barrier Reef is the most under fished reefs in the world and it is widely thought that the greatest threat to our reef is from global warming and run off from coastal agricultural activities yet the recreational fisherman is the one being held responsible by extremist minorities because they are the easiest targets. GBRMPA have no right or mandate to lock ordinary citizens out of our marine park.

The goal as it is should stay – we need shared responsible use.

In my time I have seen a gradual erosion of the average person’s right to do the fundamental things our forefathers fought for by the do-gooders and extremist minorities. I make a lot of sacrifices to give my family a good life and pay more in tax to the government annually than some hardworking people earn a year which I don’t mind as long as it is being put to good use. I was disappointed to read that the cost of the last GRMPA zoning plan has surpassed 240 million dollars of taxpayer’s money for what I can see has been for very little result. I can’t help feeling there will be more money wasted on denying recreational fisherpersons access the Great Barrier Reef Marine Park while the real issues are avoided

I look forward to being able to continue to access and enjoy this remarkable area, and share many more memorable experiences with my family and friends. Hopefully with smart, level headed, informed leaders in power in this country and not ignorant people pushing their own selfish agendas this will be possible for my children also.

Thank you,

Glenn Cox