

5th September 2008

The Secretary
Senate Standing Committee on Environment, Communications and the Arts
by email to eca.sen@aph.gov.au

Senator McEwen, Chair
Senate Standing Committee on Environment, Communications and the Arts

Dear Senator McEwan,

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

I plead with you to vote to overturn the completely unfair criminal records of those who were accidentally fishing in a green zone.

The criminal record part was a mistake made somewhere in Canberra in the law when it was first done. They fixed it a year later and now it's a big fine. This is a mistake yet I may suffer for life. Will you please fix this injustice for me and others?

I am 29 and engaged with one child and a baby on the way. Our daughter is 17 months old.

In October 2005 two mates and I went on a fishing trip to Bowen approx 1200 km north from our home town. After two days there not to catch a fish, we decided to try our luck at other towns on the way home.

We went to Airlie beach and launched the tinny as soon as we could find the first boat ramp. After getting out of the harbour, we found the weather was poor. The stiff breeze was making it choppy. Looking at the water shelter behind a close island we decided to make our way over there. We motored around a bit to find other boats, but no sign in the area. Thinking it would be a safe place to stop we anchored up to have a fish.

With my mate still baiting up, my brother and I just got our lines in the water as I looked up another boat approach us to tell us that we were at the Great Barrier Reef Marine Park and this area is a no fish area. They ask us if we knew where we are, and where we were from.

We told them that we lived 1000km south with no idea that the great barrier reef marine park was so close to the mainland and very surprised to not see a sign in the area to tell us that we were in a no fishing zone, like we had seen in other places and obeyed.

The officer said "ignorance is no excuse you should have found out. There is a hearing and there will be a fine", thinking he was a bit hard on us as he drove off. Even after tell him that we just made a mistake and we would never return.

We hadn't even caught one fish for the whole trip.

Unable to return north for the court hearing due to finances and employment at the time, I requested it to be dealt with in my absence, not knowing my full consequence.

I received a \$1270.00 fine. Thinking this was a lot, but had to learn my lesson some how.

Nearly 3 years later, now to find out my full extent of this immature fishing trip as I have never been summons before or when asking the officer the extent of the summons was never told there would be a criminal record, "a most you will get a fine" he said.

Now realizing the potential to damage my life in so many ways, I do not feel like fishing at all anymore. I now find that I may loose my licence to be able to do my job as a pest technician which will damage my ability to keep a good job and provide for my family.

Most of all I am not looking forward of explaining to my children of Dad has a criminal record.

Yours sincerely

Barry Garlick