

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.

I am married with two children and live in Townsville. Both of my children enjoy a day out on the water with their Dad, and they often have the extra joy of having their Grandfather accompany them in the boat. It is extremely valuable being able to have these generations of my family enjoying the pastime of recreational fishing.

Over the past couple of years I have been annoyed and extremely disheartened at the direction that legislation appears to be going where recreational fishing is concerned. To the recreational fisherman there appears to be a severe lack of thought and a distinct lack of input from all parties concerned prior to legislation being passed and implemented. One could say that this is unfair and a very underhanded way of doing things, certainly not in the spirit of Australia.

I take particular note of the following points:

Criminal Convictions

This is the most unfair and stupid thing I have ever heard. These people were recreational fishing – and from what I read many didn't even catch a fish. (It could have been my Dad and my son receiving a criminal conviction.) These people now have all sorts of problems getting jobs visas and insurance, just for fishing! This was a mistake in making the law. If it's a mistake then the government needs to do the honest thing and fix it up. Apply fines but remove the criminal record, that's fair. And if it was a mistake, remove the criminal records from the poor people who now have one, just for fishing.

If the implementation of these laws wasn't a mistake then it was on purpose and the people who drafted the laws and pulled the wool over the eyes of the politicians need to be addressed. You get a criminal record for fishing, but no compulsory record for other first crime offenders, even for crimes such as theft, assault or worse? What are they thinking?

Powers to Inspect

From what I read this law sounds like the fishing inspectors will have more power to search and even frisk fishermen and women than the police even have with terrorist suspects. You would be giving incredible powers to a body that some say are out of control ... just for a few fish? This is out of balance and needs to be dropped.

Definition of fishing

The Act doesn't just ban fishing in a green zone, it bans doing anything like looking for a fish. That means turning on a sounder, which is a responsible act of safety, is banned. **Therefore the Act will accept that running aground on a reef is OK.**

That placing human lives in peril is OK. That causing several Emergency response units to come and save you is OK. To leave a hull full of fuel and oil on

a reef is good for the environment. Makes sense to me!!! Again a law that makes no sense and needs to be thrown out. This law was in the previous version – but so what? It's still wrong.

The definition will also ban glass bottomed boats, snorkelling, underwater observatories, and if a whale or dolphin, dugong or turtle surfaces, and you look at them you are done - it means that just looking at the water in a green zone would be illegal.

Legal Defence

As Senator Stephens points out, this act will try to take away basic legal rights of defence. It says if you are in a green zone you know the boundaries explicitly. This Bill takes away basic legal rights and is not fair or right. I ask you to strike out the clauses.

3 strikes and you are out

Three convictions in ten years and a lifetime ban? Again this is out of balance. Can you tell me one other area such as speeding fines where you lose your licence for life for one offence every 3 years? This is excessive and needs to be taken out of the Act.

Precautionary Principle

This is a major problem. This Bill doesn't listen to the umpire. We complained that the green zones were not based on science – all the liars did was ask where we caught fish - saying they wanted to make sure they didn't take those areas - and that's how they made up the green zones. No science at all because they had none.

Then there was a review in 2006 and the GBRMPA was told to use 'transparent science'. But they don't want to listen to the umpire they want a law that says they don't have to use science. Again this clause needs to be struck out.

The goals

The biggest change is the goals. It suddenly changes from sharing and 'wise use' to conservation - a zoo, a Museum and ordinary Australians who enjoy recreational fishing can go jump. This is only an anti fishing law - nothing else is effected. The reef is the most under fished reef in the world - less now since 2002.

As Australian we have rights that other countries don't. Here no one can own a beach or the ocean. But GBRMPA want to own it and lock us out of OUR park. Who voted for them? I didn't vote for an Animal Rights Party.

The Goal as it stands should stay; we need shared responsible wise use, nothing less.

This Bill is dangerous for all of Australia. All the other EPA and marine parks follow the lead of GBRMPA. The last lot of zoning cost the government over \$250m. What will this cost our economy and our lifestyle?

I implore you to ensure a fair process is conducted and that all stakeholders receive a fair go.

Daryl Gammon