

Date: 05th Sept 08

Michael Harris

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

Dear Senator McEwen,

Please accept my submission to the inquiry into the GBRMP and Other Legislation Amendment Bill 2008.

I am a project manager working in Townsville. I have lived in North Queensland for 30 years and have fished the local waters for the best part of those years. I have recently been made aware that a number of amendments are due to be passed and I would like to strongly object to those amendments.

Of particular concern are the following issues;

Criminal Convictions – How is it that people are given criminal convictions for trying to catch a fish when a thief can go to court and the judge can choose to record a conviction. I find this amazing that someone who decides to wet a line on his local beach can be labelled the same as a serious offender. The balance isn't right. Please consider dropping this completely.

Power to Inspect – I cannot understand why someone would like to board my 4.8m tinnie and frisk me. How is this in line with current police powers? With the current trend for security officers and other people in the industry to flaunt their powers, who will regulate the parks and wildlife officer who wants to check if I have an undersize fish in my pocket.

Definition of Fishing – To go to some of my local fishing spots I need to travel through green zones. My boat being a small tinnie has rod holders to store my rods whilst travelling. At the same time I have a depth sounder turned on so I know I won't hit the bottom. It also has a GPS in it; I need this on to know if I'm in a green zone. The new Definition of Fishing will mean that from the time I put my boat in the water I can be classified as fishing. Shouldn't it be when I'm actually using the equipment for said purpose?

3 strikes and you are out – This is extremely excessive, surely the punishment should fit the crime. One undersize fish and for the rest of my life I would worry about being caught again. There are enough rules and regulations with fish sizes and bag limits and this amendment doesn't take into account an honest mistake. Have you ever made a mistake Senator?

Last but not least, I'm concerned that the amendment 9 subsection 3(1) will mean that people are declared guilty until proven innocent. Isn't this against common law? Even police officers need to prove the offender was guilty. This is a complete imbalance and should be removed completely.

Thank you,

Yours Sincerely
Michael Harris