

Jim Harmon

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Senator McEwen, Chair  
Senate Standing Committee on Environment, Communications and the Arts  
by email to [eca.sen@aph.gov.au](mailto:eca.sen@aph.gov.au)

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 the editor of one fishing magazine *Freshwater Fishing Australia* and the subeditor of another *Sport Fishing Marine and Trailer Boats*. Fishing has been my lifelong pastime and in taking these positions it has also become my work. As such, conservation of the resources is essential to enable the fine sport of fishing to continue, but locking away resources such as the Great Barrier Reef for an indefinite and undefined period based on questionable, emotive and unproven evidence makes no scientific sense. Banning fishing will prove and improve nothing.

To be given a criminal record for fishing - whether illegally or not - is a gross error of proportion. There must be balance and the 'offence' if it really is such must be comparative with other offences. Any first offence should be a misdemeanour at worst. Fishing inspectors who have powers greater than police have when dealing with 'real' criminals, and removing people's rights of innocence until proven guilty is totally unbalanced. These powers must be removed or made reasonable.

In defining fishing so broadly it effectively bans anyone except the fishing inspectors from even being in the area. It must be made into a legitimate definition, rather than making it an offence to be in the area with the intention of doing anything to do with fish. It must be removed in this form.

People must not be assumed to be guilty simply by their presence in the area. The right to defend themselves and have the presumption of innocence is basic and must remain.

If three convictions in ten years leads to a lifetime ban then this is another area that is totally out of balance with 'real' criminal activities. It is completely excessive and must be removed.

The definition of green areas must be based on scientific evidence, not on how they are used. Before locking up ANY area, scientific study must be undertaken to determine what is required to be achieved and then take action to meet those ends. It should not be a case of "take a few steps and determine the direction later". Making laws that outlaw fishing does not have any proven benefit and it will never be possible to know whether it is having any positive or negative effect as there is no benchmark against which to measure it.

Setting a precedent based on a fallacious and emotive argument is stupid and plays to the ends of minority lobby groups at the expense of the wider Australian community. Establish the scientific need and then act on that. Don't lock areas up and see what happens.

Jim Harmon