

Senator McEwen, Chair

Senate Standing Committee on Environment, Communications and the Arts

By email to 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.

My name is Des Wood. I have been a keen fisherman for many years and as a father of two and grandfather of three, I am keen to ensure that the pleasure gained not only in catching fish but also in enjoying the camaraderie which exists among fishers will be something that future generations can also experience. My interest covers more than just angling, and extends to crabbing and other shell fish. I am a member of the Western Australian Recreational Fishing Advisory Committee and Chairman of the South West Regional Recreational Fishing Advisory Committee (W.A.)

(1.) As a recreational fisherman I am concerned about some of the proposed amendments to the Great Barrier Reef Marine Park Act 1975.

Of particular concern is amendment 9 subsection 3(1) which endeavours to move the definition of fishing into the offences and civil penalties section of the Act.

Regarding the *intention* to fish it would appear to me that the changes aren't significant and submit that the wording should be left as it is or altered to reflect the activity of taking fish – not the intention to take fish – How would you prove this unless it is considered that possession of fishing tackle indicates an intent to fish.???????

As it stands if the amendment goes through, a person could be heading through a restricted zone enroute to another place to go fishing and be apprehended and fined – not for actually fishing but for an “intent” to fish..

(2.) I support the amendment 5550 (version 1) proposed by *Senator Macdonald and Senator Boswell* where they ask that people who were convicted under Section 38CA have their convictions treated as spent convictions. It seems quite draconian that because the Court had no choice other than to issue a criminal conviction that a grandfather taking his grand children out in a small craft for a days fishing with no GPS and no way of knowing they had drifted into a restricted zone could end up with a criminal conviction with all its consequences.

Thank you for the opportunity to comment.

Yours sincerely,

Desley J. Wood (Mr.)