

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 enquiry into the Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.

I am one of Kevin Rudd's "working families" who enjoys a (all too few) fishing and crabbing trip. I believe I am a responsible fisherperson who only takes enough for one or two meals for myself – this attitude has been passed on to my two children (Daughter, 36 years of age and Son, 33 years of age) both of whom are married and have responsible positions in the workforce. My children and their Partners often accompany me on these fishing trips and none of us have any objections to having areas closed to fishing.

However, I do have a problem with the so called "scientific method" that GBRMPA professed to use to determine the areas currently gazetted. Having said that, GBRMPA used the only reasonable method to determine such areas BUT to call it "Scientific" is an insult to our intelligence. For your information, some time ago I was having a "drink" with a friend and we were joined by two employees of GBRMPA – we had a good laugh at the "con" perpetrated on the public under the guise of scientific studies in determining these closed areas.

What I do object to is that the criminal convictions of those originally prosecuted have not been "pardoned". This is unfair and way too excessive for the nature of the offence. This was a stupid law introduced by the previous Government and I believed Kevin Rudd, on a pre-election visit to Townsville, when said he would give favourable consideration to pardoning those people convicted. Was this just more "Spin" or did he really mean what he said? If he really meant to fix this inequity why are we having this rushed inquiry?

Please cancel these criminal convictions, they don't deserve it. Even the Honorable Belinda Neal received fairer treatment than those fisherpersons whose life has been seriously affected by the criminal conviction handed down.

I have other concerns regarding the proposed changes to the legislation – (I'm no lawyer but I read the proposed changes to mean)

Powers to Inspect:

This is overkill – these changes give Fishing Inspectors more power than State or Federal police have who deal with more serious offences. If these powers are absolutely needed, there needs to be some recourse for the public in the event of over zealous actions by these inspectors.

Definition of Fishing:

This definition needs to be changed from what is in the original legislation. For example, I fish Cattle Creek (south of Ingham) and launch my boat at either Crystal or Insulator Creek. I then have to travel through a Green Zone to enter Cattle Creek. Depending on the weather, water clarity and/or the state of the tide, I use my Sounder/Fish Finder to find the channel (which starts in the Green Zone) into and out of this creek. This activity could be construed as "Fishing" the way I read the definitions contained in the existing legislation. This leads to

further concerns, as the way I read the legislation, "I'm guilty until I prove my innocence" – This is not the Australian way!

I expect better from a Labour government. Please take the time to undertake a detailed review of this flawed legislation passed into law by the previous government and don't be railroaded by the few zealots that want to close down everything to do with fishing or for that matter any healthy recreational activity. They (GBRMPA) have "conned" us, including your good-self into trusting this Authority (misnomer) to give an honest answer or make a truthful statement such as "scientific research".

I trust that you will give favourable consideration to this submission and I thank you in advance.

Yours sincerely

Monty Mahoney.