

Senator McEwen, Chair

Senate Standing Committee of Environment, Communications and the Arts.

Dear Senator McEwen

This is my submission to the inquiry into the Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.

My name is Bill Gibbings. I am retired. We have seen recreational fishing activities drop in North Queensland since the Representative Areas Programme was introduced which has had a very big impact on businesses in the north. We do not want to see more draconian changes made to regulations controlling activities in the Great Barrier Reef Marine Park. I believe that proposed Conservation Zones are unnecessary in many parts, and there are other options available that will provide protection for sensitive areas that also will allow for continued enjoyment as recreational marine park for all Australians, and still provide sustainability protection for the fishery and environment.

Criminal Convictions

This law is extremely unfair. These people were fishing - and from what I read may not have even caught a fish. These people have all sorts of problems getting jobs visas and insurance - 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. End of all the criminal records and the fines can stay - that's fair.

If it wasn't a mistake then it was on purpose the people who drafted the laws and pulled the wool over our eyes of the politicians need to be addressed. A criminal record for fishing but no compulsory record for first offenders - even then theft or assault or worse. What are they thinking?

Powers to Inspect

From what I understand this law sounds like the fishing inspectors will have more power to search and even frisk fisherman and women than the police even have with terrorist suspects. You would be giving incredible powers to a group .. just for a few fish? This 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. Again a law that needs to be thrown out. This law was in the previous version - but so what? It's still wrong.

Legal Defence

As Senator Stephens points out, this act tries to take away basic legal rights of defence. It says if you are in green zone you know the boundaries. 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 balanced. Can you tell me one other area - like speeding fines where you lose your license for life for one offence every 3.3 years ? This is excessive and needs to be knocked 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 **GBRMP** representatives did was ask where we caught the 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 truck 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 like fishing can go jump. This is only an anti fishing law - nothing else is affected. The reef is the most under fished reef in the world - less now since 2002.

As Australians 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 or **OUR** Park. Who voted for them.

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

Regards.....Bill Gibbings