

Senator McEwen, Chair  
Senate Standing Committee on Environment, Communication & the Arts,

Dear Senator McEwen,

Please accept my submission to the inquiry into the Great Barrier Reef Marine Park & Other Legislation Amendment Bill 2008.

My name is Ken Stien and I am, and have been for the past 50 years, a recreational fisherman. I am a retired school principal (40 years teaching) and my hobby for the past 40 years, besides fishing, is photographing the activity and writing about it. I have had articles published in all the leading national fishing magazines over this period and continue to do so to this day. I have always been a supporter of sensible conservation in the environment and in association with my chosen recreation and have always passed on this ethic to my students.

I have great reservations about GBRMPA and the manner and extent of its activities in relation to the legislation introduced some time back. Their attitude was underhand and very deceptive and the resulting legislation questionable. This “taint” was also borne by the Government by its association with GRMPA. The thing about this type of legislation is, that if it is sensible & not extreme and all processes handled in a transparent & fair manner, the average Australian and thinking fisherperson would be happy with the result and support it. It is the extreme and secretive that alienates the majority of our population.

I am concerned about the proposed amendments to the Great Barrier Reef Marine Park Act 1975. For instance Amendment 9, subsection 3(1) would seem to fly in the face of the basic principle of our justice system – “innocent until proven guilty”. Fisheries enforcement officers should provide proof to support charges, not fishermen have to prove they are innocent! No genuine thinking fisherman would fish deliberately in a green zone, but many will travel through a green zone with fishing equipment on board to fish elsewhere. Does this prove “intent” to fish in a green zone? I think not!

Senators Boswell & Macdonald’s proposed amendment 5550(version1) where they ask that convictions of persons (under section 38CA) should be treated as spent convictions is worthy of support, and should be successful, as a mistake in Law should be rectified by the lawmakers.

Moderation should be the basic principle of all forms of government and legislation, not extremism. We abhor terrorism because it is extreme and indefensible. These types of amendments (as well as much of the original) is just as extreme! It is up to people such as yourself to restore some common sense and moderation to the legislation. The basic principle should be “wise shared use by all stakeholders”

Thanking you in anticipation, I remain,

Yours sincerely,  
Ken Stien JP