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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 McEwan,

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

I am a typical Australian father who grew up with grandfathers and fathers standing together fishing during our holidays. I now have two kids, a 7 yr old and an 8 month old and hope I will have the same ability with them and their grandfathers.

Now it seems that this lifestyle is negative, one which is being stamped out across the country. To say I was annoyed with the marine parks when they came in years ago is an understatement. I, like all recreational fishermen are for conservation but the barrier reef is a place that is no where near extinction. Despite its mantle or pedestal it is raised up on the Great Barrier Reef is a huge network of reef and it simply is not at risk. And even if global warming is true (which during the week the WWF has changed its stance from warming to cooling caused by CO2 emissions), then stopping fishing won't save any part of it!

To the legislation in front of you I have some major concerns.

### **Criminal Convictions**

What the hell is this country coming too? We have drunk drivers that have cause mayhem and carnage on our roads after repetitive offences walking around without a conviction yet we have fishermen with criminal records? These people were fishing – and from what I have been told by people involved many didn't even catch a thing! These people now have all problems getting jobs, visas for overseas travel and insurance - for what, going fishing and taking part in a recreational activity that 1 in 5 people in this country do!

This was a mistake in making the law. If it is a mistake then the current government needs to do the honest and fair thing for WORKING AUSTRALIAN FAMILIES and fix it. Whatever is needed to be done, do it and end the criminal records, the fines can stay – that's only fair as it matches current situations. If it wasn't a mistake, well the people who drafted these laws and pulled the wool over the eyes of the Australian Public have used the Australian Government as their tool. This needs to be addressed.

A criminal record for fishing but no compulsory record for first offenders - even for theft or assault or worse – talk about misleading justice - what the hell are they thinking?

### **Powers to Inspect**

What poses people to give fisheries inspectors' greater frisk control measures over that of the police force? How many fine lines would be made and how many lawsuits against inspectors for improper touching would ensue? I can see the headlines on Today Tonight now – 75yr old couple sexually abused whilst fishing with grandchildren. Your choice on how you want that one to go.

### **Definition of fishing**

What Orwell book did this one come out of? Searching for or looking for fish is fishing now? I am sure the tourist operators will love this one seeing they can use green zone with glass bottom boats. They are searching for fish, as are dive charters.

This also looks to me that if I look at the weather report about the seas and tides then I can be arrested as I am planning a trip therefore I am looking for fish.

### **Legal Defence**

As Senator Stephens pointed out, this act is trying to take away basic legal rights of defence. This would make this unconstitutional wouldn't it? The legislation says if you are in green zone you know the boundaries – hard to prove considering the QLD Magistrates court ruled a GPS is not an accurate method of measurement so how will they enforce this one? I would like to see the environmental impact study for painting lines on the reef!! Sound ridiculous – well so is this Act. This Bill takes away basic legal rights of WORKING AUSTRALIAN FAMILIES and is not just. I ask you to strike out these clauses.

### **3 strikes and you are out**

Three convictions in ten years and you get a lifetime ban? In the words of a famous Australian TV star.....What the?. Back to the drunk drivers, how many do we read of in the papers every week that are back on the roads after 3yrs, or 5 yrs – almost none are banned for life after multiple offences. So why be so draconian about a simple Australian past time? This simply must be removed from the legislation completely.

### **Precautionary Principle**

This Bill doesn't listen to the referee in this instance. A lot of people complained that the green zones were not based on science – all the liars did was ask where we caught 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. We know this as a part of the Green Zone area that has been locked out was a lie told to the authorities – they closed off an area that many people reported as their catch location, which it wasn't and never was. The lack of distrust was measured quickly and we know the result.

Then during a review in 2006, the GBRMPA was told to use 'transparent science'. Now they don't want to. They can't use science to prove anything they have recommended and they know it. So to stop them having to do something to prove to the AUSTRALIAN PEOPLE AND GOVERNMENT the reasons they want to close an areas down, they want this Precautionary Principle. If they want to "protect the environment for future generations" then use the damn science, show the Australian people the results and tell the truth.

“Oh no. It looks like maybe fishermen have found a new ground to use. Well seeing as they are catching fish that means the species could be in danger so we better declare that area closed”.

No proof of what they are catching is causing any grief, or that anything at all needed to be done. It is all-discretionary and without reporting lines.

### **The goals**

Who decided that the goal for this Act was to change from “Fair and sustainable use” to “Shut it Down and only allow tourism”? This Act is simply an anti fishing law - nothing else and no one else is affected by its changes. The reef is the most under fished reef in the world - less now since 2002. Fishing is not illegal and even our take rates off the Great Barrier Reef are around 6kg per square kilometre yet the Pacific Reef average take within UN boundaries are around 7700kg per square kilometre! So how come we are told the Reef is in dire straights? Who is telling the lies?

I am an Australian and we have rights of use that other countries simply don't have. As an Australian, I know no one can own a beach or part of the ocean.

Oops sorry forgot, GBRMPA not only want to own it, they want to lock us out of a heritage listed area owned by all Australians – it is OUR park, not theirs. I would like to know how a GOVERNMENT managed and owned entity can over rule, change and carry on activities such as this when no other organisation in Australian can?

The original goal for the Great Barrier Reef needs to be re-instated. It needs to a SHARED ENVIRONMENT FOR ALL AUSTRALIANS TO ENJOY AND USE.

What you do know will have ramifications across all of Australia and the Marine Parks either in place or being considered. Unfortunately for us WORKING AUSTRALIAN FAMILIES the GBRMPA is used as a measuring stick so if they get a carte blanche then you be assured places like Moreton Bay will be next. Seeing the last lot of zoning changes cost the government over \$250m, do you want the next lot being allocated to your decision? What will this end up costing our economy and our lifestyle? Considering recreational fishermen spend \$69/kg for a fish, it is a huge economy that is created by fishing and you are killing it off.

By the way, the LABOR Government during the election last year went to great lengths to say they are here for ALL WORKING AUSTRALIAN FAMILIES, pass this Act and it will be easy to see that they are not.

One wonders what our founding fathers would say? I bet our fallen soldiers who fought for the rights of Australians would be rolling in their graves if they knew the rights they fought for were now being removed. Personally, I am disgusted and ashamed to see a Government take away the rights of families to spend time together, standing alongside each other catching a fish.

Regards,  
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