

Senator McEwen, Chair

Senate Standing Committee on Environment, Communications and the Arts

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 Ward Nicholas. I married and have 2 children

Criminal Convictions

This is the most unfair and stupid thing I have ever heard. These people were fishing – and from what I read many didn't even catch 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 then the people who drafted the laws and pulled the wool over the eyes of the politicians need to be addressed. A criminal record for fishing but no compulsory record for first offenders - even for theft or assault or worse. What are they thinking?

Powers to Inspect

From what I read this law sounds like the fishing inspectors will have more power to search and even frisk fishermen and women that the police even have with terrorist suspects. You would be giving incredible powers to a body that some say are out of control ... just for a few fish? This is 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.

The definition will also ban glass bottomed boats, snorkelling, underwater observatories, and if a whale or dolphin, dugong or turtle surfaces, and you look at them you are done - it means that just looking at the water in a green zone would be illegal.

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 balance. Can you tell me one other area - like speeding fines where you lose your licence 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 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.

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 struck 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. They won't be happy until we are all vegetarians.

As Australian 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 of OUR Park. Who voted for them? I didn't vote for an Animal Rights Party.

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

This Bill is dangerous for all of Australia. All the other EPA and marine parks follow the lead of GBRMPA. The last lot of zoning cost the government over \$250m. What will this cost our economy and our lifestyle?

Senator I have been to Parliament with a group of students over the last 3 years. Each year I am impressed by the way parliament should work. I would like to see the sensibility of Australian Law and the principles of mateship and a fair go applied. The GBRMP needs fishers on the water to help protect the reef these new proposals will do the opposite. We need Australians on the water protecting our resource.

Yours faithfully
Ward Nicholas