

**INQUIRY INTO COMMENCEMENT OF THE FISHERIES  
MANAGEMENT AMENDMENT ACT 2009**

**Name:** Name suppressed

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Partially  
Confidential

**Portfolio Committee No. 4 – Regional New South Wales, Water and Agriculture inquiry into the failure to proclaim the commencement of Schedule 1 of the Fisheries Management Amendment Act 2009 concerning Aboriginal cultural fishing**

Submission dated 21 January 2022

From:

Thank you for the opportunity to make an individual submission as a South Coast Aboriginal person to the Portfolio Committee No. 4 – Regional New South Wales, Water and Agriculture inquiry into the failure to proclaim the commencement of Schedule 1 of the Fisheries Management Amendment Act 2009 concerning Aboriginal cultural fishing.

I am a South Coast Aboriginal person. I identify as Yuin.

My dad and my all my Elders up in New South Wales and Victoria and South Australia taught me to fish since I was born pretty much. It's just been in my life all my life. And yeah, I've always been diving. Fishing, diving, everything. We always take from the ocean to eat food and stuff like that. Take it home, take it to my Elders and my cousins and my family. If my uncles and aunties call me up one day and say they want some feed, I'll get up straight away and go get it for them, no matter what I'm doing I go out of my way to go get them food. I've been doing it nonstop since I was born. Me and my other big cousins we take them out [my little brother and cousins]. It's a bit hard to now 'cause of what they're doing to us, the fisheries.

### Interactions with fisheries

The New South Wales [fisheries] only been taking pictures in the bush and never really told us about it until we got raided. But then they never approached us to ask us what we were doing or anything. What they're trying to say is that they took photos of me. Apparently I was in Eden, but they didn't show me photos of me being there. So I can't tell you if I was 100% even there. They just showed me shells and then said they were mine.

But in Victoria they pulled me over with our feed of abs (abalone) and then they took it off me up in Apollo Bay. [This incident] was 2-3 years ago now. It wasn't just my cuts [that got taken off me], they took my car, my phone everything. There was only a small feed of abalone I would say 'cause the day after it was Invasion Day- Australia day. So I was taking it home for my family and stuff. And then they took it all off me. Even left me in the middle of the bush, literally in the middle of the bush. There was a small town [Apollo Bay] and everything was closed. There were no buses, no train so I just got left there with nothing.

The cop that took me in the police station before I got interviewed pulled me aside, turned his camera off and then he turned around and said 'if you stuff up you're not going to like what I see', 'cause he said his family lives right next door and I just went silent. I shit myself 'cause I got really bad anxiety.

I went to the hospital couple times because I've had terrible anxiety attacks because I keep dreaming and shit 'cause they come and run through my house. When I actually got raided

and they took me in the back of that dog box or copper car. And then there was no need for that 'cause when I was done the interview, they drove me home in a normal car, so what's the point of that? Because I was claustrophobic as. Just to intimidate me.

When they took my car off me, they said they'll give my car back if I signed a piece of paper saying that I wasn't allowed to go near the beach in that car and I feel that's taking away my cultural rights. They're trying to say I can't go fishing in that car. I was like why can't I go with a rod? I asked him that in that interview room. So I was like, I want to go out to the beach and that. He reckons I couldn't carry any diving gear or anything in the car. They tried to make me sign a piece of paper, but I wouldn't sign it. Though at the interview, they made me sign it because they said if I didn't sign it they were going to take the car off me straight away.

## Interactions of the legal system

I've never been charged before. This is the first time ever going to court for anything. [I was charged with] trafficking abalone and having possession of more. I've been [to court on this matter] heaps of times. They keep adjourning it. They just adjourn and adjourn and adjourn. I don't know what's going on. I don't know how court works. I don't know why they keep adjourning it. It's been going on for two, three years now. I'm getting sick of it. I leave Victoria, leave my job for a couple of days 'cause it's all in NSW and not get paid.

It costs at least 200 bucks a trip. Because I go and drive 6 hours up, plus I gotta buy my food on the way up. Just so that I can go to court for the judge to adjourn it or the fisheries or adjourn it. And the fisheries don't even turn up to court. We're the only ones who turn up to court. They're not even paying for any of the costs. I want to seek compensation after this if they don't hurry it up 'cause I know I'm going to win the case. I've done nothing wrong. it's the fact that I'm taking a day off, not even getting paid for it because I've got no sick leave left or even annual leave 'cause I've used it all because of the other court dates.

## Personal impacts

When I got pulled over there they took my food off me. And I went home with nothing. We had nothing. I had no food at home back then. I didn't have a job. You know I was going to eat that and put it in bread like I told him in the Bush and they just still said 'nah, we're taking it'. When they took my car off me, I got offered a few jobs that I couldn't turn up too 'cause I needed a car. Yeah, it was just stupid, I can't even go out anymore. Only place and time I go out is in New South Wales because I'm comfortable with my cousins and my dad. I used to go out myself, every now and again, but I would never go by myself anymore. I'm too scared now because of it. Yeah, 'cause I want to be with someone if something happens 'cause I've got really bad anxiety attacks, so I wouldn't be able to handle by myself. So if I'm with my family, I wouldn't even say friends, just my family because I know that they know what to do.

I've been in the hospital a couple of times. I've been there once for like really bad anxiety attack and then another time when I was up in Eden I was in the middle of the Bush. Something just started freaking me out 'cause I think they're going to run and jump on me or something. But they're the ones who caused it pretty much. I had a little bit of anxiety before

they came, but then after they came back and it just went straight through the roof. Some of my cousins here that we were too scared to go near the ocean because we can't even go get our own food, because we think they're just going to leave us in the middle of nowhere. Take my car and all, then we're stranded so can't even get to work. But the worst part is the panic attacks.

I went out a couple of days, a couple of weeks ago, with my girlfriend and my mate. But then I was freaking out the whole time like I was just scared. I wouldn't even go anywhere. I just had really bad anxiety about it. But that was the first time I went [to the beach] in ages. That time I only pushed myself to go 'cause I'm trying to get back into it, but I'm just too scared.

## Community and family impacts

I'm too scared to go out, so I can't even take my little cousins 'cause, I'm scared what's going to happen to them. I don't know what's going to happen to them. Fisheries could jump out and bash them. That's why I get anxiety about it because we never know these days. Fisheries are like, they're idiots- don't do anything. Not even that, like, I'm just too scared to even generally go to the beach. I'll go to the beach with my little cousins and that, but I can't take him to the rocks or go diving with them because I can't show them anything. Like I got my little brother. He's seven years old. He lives up in Geelong. Every time I go to Geelong I don't even go near the beach I just go see him because I'm scared; I'm scared for him too. I don't want him to go through what I went through over fish.

When I first got raided she [mum] was always calling me, checking if I was alright 'cause she heard I went to hospital for it. Even my cousins, my uncles and that I went with, they even scared to go out too now.

## Outcomes

At least come and talk to us before they raid our houses. At least come and walk on the beach and check what we're doing. What they do, they'll either just come, pull us over or rip us out of the car, rip all the shit out of our car. I would honestly be happy to talk to him. Just happy to talk to him, sort it out on the beach or wherever they think they want. But if I'm having a campfire in Eden and eating my food, I don't want them to come anywhere near me 'cause that's practising my cultural heritage. I don't want some guy coming up with near me and my little brother and them and trying to interfere with our culture. If I've got a fire up, don't come near me, but if not, I'm more than happy to come and talk to him. They're raiding my house for nothing when they could've come speak to me.

Hire Aboriginal fisheries officers 'cause the Aboriginal fishers will know what we're doing when we're down there. They know how it goes on, what carries on around the beach like that. They know we're not criminals like they [fisheries officers] are. 'Cause out of anyone the fisheries are the criminals. They're taking our food off us, you know? It's just stupid. Make programmes with Aboriginal people, even Aboriginal kids, make programmes and bring them up, teach them. Do stuff with them. I've never heard of any programme that they do like that. I've heard they would do it with white people, but not with us. I've never seen an Aboriginal

fisheries officers before. I've heard of it before, but that was years ago. But I not anymore, I think. They're just a bunch of racist people if you ask me.

It [s 21AA] is law, so what they're doing is wrong. Because it's the law. I find if they interfere with us they should either get charged or we should get a restraining order. I want a restraining order, I don't want them to come anywhere near me. I don't need their help. I don't ever need them. So if I see someone doing wrong on the beach I'll go approach them myself, I don't need the fisheries.