

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

Name: Mr Craig Wellington

Date Received: 24 February 2022

Partially
Confidential

SUBMISSION TO THE INQUIRY INTO THE COMMENCEMENT OF THE FISHERIES MANAGEMENT ACT

CRAIG WELLINGTON

24 February 2022

My name is Craig Wellington. I was born in Nowra on 1975. I'm a saltwater person. I grew up at Roseby Park – Jerrinja - the Aboriginal mission at Orient Point and I have never left there. Its normal for us to fish and dive every day at Crookhaven - the river, the beach and the heads - and at Tilbury near Penguin Head. We've done it all our lives. If there was nothing else in the fridge or freezer, you had no choice but to go fishing. If you can't afford food, you just go and catch it. We often went out to Jervis Bay to fish and camp. We go to Red Rock and Cabbo and other places; you were always guaranteed a feed there – fish, bimbulas, oysters, crabs.

My Uncle Gary Wellington and other uncles were my main teachers when I was growing up. My first memory of diving is I was scared to grab a lobster, put my hand in the hole, but my uncle grabbed my hand and shoved it in there. After that, I loved it and I went with them all the time. They'd show you everything - where the best nests are; what your best times are. Through winter when it was nice and cold, that's the best time for lobster. Abalone are there all the year. With abalone, at first, I used to go down and wrestle one ab, but my uncles taught me, when they clamp down really hard, to swim away, it's a waste of time. It feels mad what you see underwater. Its peaceful, you are in your own world.

My uncles always told us you should never ever cook fish really late at night. They reckon it draws the hairy man, the Dooligah. It's like Big Foot they reckon - there's little ones and big ones. That's what they used to say back in the day. Even when we went camping down Corunna, we used to hear some weird noises - especially if you cook fish all hours of the night.

I was part of the commercial fishing crew at Jerrinja when I was younger, pulling nets with my uncles, Lilly, Jolly and them, fishing for mullet. I used to sit on the hill with my uncle and he showed me how to spot for fish. We would look for the different shadows in the water. Just sit there and watch the different colours when school of fish were coming along. Blackfish had this sort of show of dark in the water. Whiting, bream swim along, you seem them shine, they roll on their side.

I used to row the boat with Uncle Jol. You'd have some people spotting and when they'd see the fish coming, they'd walk along the water's edge and they'd sing out and let you know when to start rowing the boat around. People would be holding the net on-shore, as you were rowing around. When you get so far, they'd tell you to stop. Then you'd wait for the fish to swim in. Then they tell you to row in, to close them off so they can't get out. That's called shooting the net. We'd come ashore and pull the net in together, four people on either end, pull the fish up on the beach. We'd measure them, chuck the undersized ones back in the water and the legal ones in the fish boxes.

We'd always take some fish home to the family and share them out in the community. We used to always have a fish box and ask people if they want a feed. We fished at Callala, Long Beach and Red Rock, until they put the Marine Park in at Red Rock and we couldn't fish there any more. Ours was the last fishing crew at Jerrinja and no-one there is fishing like that any more. These days, it's kind of sad, just watching schools of fish going past.

Mostly I just fish and dive to feed my family. Feed all my family on the mission and in Nowra. I can go over, go over the bag limit, because I have a big family. We're only allowed ten abalone, but ten abalone is nothing to me. I always try to drop a feed off for my mum in Nowra. I give to my nieces, my sister and brother. I used to give to my aunty, to other older people on the mission. They don't dive. My nan, Jean Wellington, she said never be greedy. Always, when you catch a feed, share it. It's just hard now. If I get a feed today, people will be ringing up asking, 'Can we have some?' But say you take a feed up to your mum, the Fisheries'll say you're going to sell them. It makes me feel bad because I can't give them. I always say next time.

The fisheries officers think it's a game. Peeping all the time, harassing us. You jump in the water and before you know it, they're there. From when you pull up, you're always looking behind your back. You see them peeping around the corner and you're only getting a feed. If you see anyone peeping around, that's the fisheries. Even the young ones know them. My nephews, they'll tell me, there's fisheries up there. They'll look through their binoculars, soon as they see you're Aboriginal, 'alright we'll stay here'. Sometimes they will turn around and follow us in their cars. White people ring up and report us. I guarantee the Fisheries knock on their doors. It's like you're a drug dealer.

Fishing, diving, it's just something you love doing. You get up early, you're going out, its a lovely day, you haven't got a care in the world. It's just such a mad feeling being in the water, you just feel peace. In an instant - you see someone behind the bush - that all goes away. It ruins your day. When we go out diving today, there's more looking around than getting in the water. You dive to enjoy yourself, but these days you're too busy looking around. When you're walking back along the beach, you're waiting for them to jump out of the bushes. It just gets to you.

I don't know why, if you had 50 or 60 in your possession, the Fisheries don't come and talk to you. It's like they'll sit there and let you kill things, when they could come up and stop it. They're just watching behind the bushes. Why don't they come out in the open? They have the chance to say, 'put this many back, take your legal quota. Put the rest back'. Saves people being put in the court. Instead, they'll sit here, wait, wait - 'we got him here'. Catching 'em diving, it's a big tick on their behalf.

There's one Fisheries bloke, we get on alright. He knows we dive for a feed and we've done the right thing. We've never argued. Other lads, they don't believe you. If you've only got your ten, they'll still look around the rocks. The other lads, they'd rip your car apart. They make an even bigger scene when there's white people around. That's how it is in Culburra. They want to make a scene out of it. They love that power. They get around like a copper. They'll say, 'stop there! Don't touch it!' It makes you feel like a little kid. Who do they think they are talking to? They have Go-Pro cameras. They film you. They can delete what they said to you. They just go too far.

They say we're raping it - the ocean - taking everything, when we're just going for a feed. They don't realise our people have always been out there. Back in the day, old people used to get lobsters, abalones and conks, that was their food. Around the lighthouse at Crookhaven Heads, its full of midden shells. They're holding the bank up there, there's that many shells.

They don't understand about the way we dive and fish. I follow the weather every day of the week and the seasons. Winter-time the blackfish are travelling and that's the time to get the lobsters. They follow the current. When the cold currents come in, the lobsters move in. In summer, the water's that warm you're battling to see them then. You've got to work the tides as well. You have to wait for certain tides to go out for certain things, you can't get them at high tide. Just like a feed

of pippies, you have to wait for the tide to go out and you go to Comerong Island to get them. At low tide you can get a feed of oysters, yabbies or go down the Heads and pick up a feed of abalone.

We're not going to go there taking little muttonfish, not going to take all the little baby ones. Then again, we let the big females go because they are the breeders. The Fisheries tell us to only take the large ones, but that way, they're cleaning out the breeders. Oysters, you don't take when it's been raining, they're too fresh, and they're not good at spawning time either, when they're real milky. You see a lot of lobster shells in the water. As they get bigger they lose the old shells and grow new ones. We don't take the soft-shell lobsters because they're all watery.

The Jerrinja Community has the title deeds at Red Rock, Jervis Bay. We fished there for years and years. We'd always go and get a feed of fish, without fail. At Cabbo, Cabbage Tree Beach, there was plenty of bimbula, oysters and mud crab. Back in the day, Uncle Lil and that used to fish there with the nets. Red Rock, Cabbage Tree Island, Cabbo are all under Marine Parks now. We've fished there long before it was a Marine Park. If we're fishing or gathering shellfish now, we're just waiting for them - Fisheries or Marine Park - to turn up. These days, someone's always pulling up saying you can't fish there. A few times, we were pulled up at Currarong, going to Cabbo. Soon as we pulled up, Marine Park was right behind us. The rangers down there, they'll say, 'do you know there's a sanctuary zone down there?' It makes you wild! At Huski, Huskisson, there is a tour operator. As soon as she saw us there, she got all these people standing around her and rang fisheries. They automatically think we're criminals. Whenever I see white people fishing in the sanctuary zone, you never see Fisheries.

They're still telling us what you can and can't do. We should be able to fish where we want to fish to provide for our family. We want to be able to get in the water and not be hassled, provide for our family, go and get a feed, ten for each person. Today there is a \$500 fine for shucking abalone adjacent to waters. Back in the day, our people always used to do that, cook and eat their food near the water. That's why you see middens. They'd get the biggest feed. Sit there make piles of shells. They'd have a feed and walk back bloated. We should be allowed to enjoy our resources and do things the way our old people did it, our old people going back thousands of years. I have seen conk shells way inland when I was doing work on a heritage clearance for the gas pipeline. I think our people traded seafood back in those days.

How can they say they own the water? Who gives them the right? Our people back in the day fished there for years and years. Red Rock, soon as you get on the beach that's Marine Park. Even though Jerrinja has got the title deeds, we're not allowed to fish there. We're not doing anything wrong, just getting a feed. We go down to Corunna, prawning. We'll travel there from Jerrinja and Nowra. All family has been going there for years, at Christmas - Uncle Jol and that. Some of our family come up from further south. The fisheries just look at it as, 'why do you travel that far to do this?' They seem to think we're doing something wrong. My Nan used to make pippy gravy with potatoes and carrots or we cooked them over an open fire. Over Comerong now, they've got signs up. You're only allowed twenty pippies. It's totally wrong. You used to go over there and fill up a big bucket. Feed the family, hand them out.

Commercial divers whinge about us diving. The pro lads dob you in, they say you're taking *their* resources. We're stealing the commercial fishermen's resources. What they pay compared to what they make. It's unbelievable. They've got scuba gear, they've got measuring gear. Diving without air, we can't measure everything. They take tonnes and tonnes. There's not many of them. How many Koories are there on the coast?

Our younger ones haven't learned how to dive. You go out and try to show them but they're like, 'I don't want to go to jail, I don't want to be in the newspaper.' They won't do it. Sometimes we take a tribe of kids out. They're really happy when they get an abalone - you're battling to get them these days - but we have to ask, are they legal? Otherwise, they have to put them back. When I take my young nephew diving, I have to say, 'if it's not legal size, you can't take it'. It's disheartening for them. I think they just give up, don't even worry about diving.

The rules are not the same along the coast. Around here, Culburra, you are only allowed to take ten on the weekend, that's from Wreck Bay to Port Stephens. You have to go south past Wreck to dive on the week-days. The Fisheries and Marine Park never come to Jerrinja, to tell us what is happening or to ask us what we think or want. They don't talk to us traditional owners. I think they should.