

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

Name: Mr Ewan Thomas

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Partially
Confidential

**Submission by
Ewan Thomas, Wandi Wandandian man**

**To 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**

My name is Ewan Thomas. I am 30 years old and I'm from the Wandi Wandandian group, which extends from Wandandian down to Ulladulla.

I have been diving for seafood since I was 7 years old. My father taught me how to dive. That's what I do. I work as a labourer but on my days off I go for a dive and provide for the families at Wreck Bay, Jerrinja, and Orient Point.

The first time I was caught by fisheries officers was in 2008-09. I was fined \$1500 for a bag of mutton fish. There were three of us and we were each fined \$1500. They set up a payment plan of \$50 per fortnight. The other two divers were

My last offence was in 2018 and the three of us are still going to Court for this. Fisheries had us on camera. There has been a heap of paperwork involved. This case involves 33 abalone. Two other cousins had 55 and 66 each. My fine is \$10,000. We were just going to feed everyone.

Our elders are representing us in Court. We don't have a legal representative because we can't afford lawyers. We've just got elders from Jerrinja. The Aboriginal Legal Service don't do fisheries matters; they are useless to us.

These prosecutions have caused me stress and anxiety. I had to undergo brain surgery in 2017. I was in hospital for 3-4 months. I could not walk from front door to the letter box. I haven't been to town for a few years.

My father hasn't been diving in 40 years, but I have two nephews who want to get into diving and stuff. They are only 12 and 13. I'm going to have to start teaching them.

I believe that the Fisheries department is monitoring us. I saw the video of . He said you can't touch me, they still grabbed him, how can they do that? We are always under surveillance. When you are in the water you are always looking to see if there's someone there. Fisheries have people looking to see what's going on.

It feels like everybody is against all the black fellas. We belong to this country, the land owns us, and then we choose the land to live off, and we can't even do that. We have all these white fellas saying you can't be getting food; we belong to this country.