

Submission  
No 29

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

**Name:** Mr Bill Cooley  
**Date Received:** 28 February 2022

---

Partially  
Confidential

**Submission by  
Bill Cooley, Gadigal, Wandandian and Walbunja 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**

Way back when I was a kid, as a 5-year-old in 1968, I went diving with my dad for abs. We used to sell them for \$2 a pound. My old man was a professional fisherman all his life. His main source of income was fishing. He used a handline for snapper, a net to fish for mullet during the season. Rest of the year set nets. His name was Mervyn Cooley.

In the late 1980s I first came across enforcement while diving for abalone at Kiama. We didn't know fisheries were there. We got out of the water with 98 abs, all of a legal size. I went to court and in 1992 we won the case. We argued that it was Koori knockout time, held in Sydney that year, and within my family we were all given roles. Ours was to provide food for the gathering. The Aboriginal Legal Service had a really good lawyer who called Fijian, Samoan and Tongan witnesses, and made an international case out of it.

Ivan Ardler gave evidence that it was okay to fish in his waters south of Kiama. He is well known and well respected. From that point on I was pursued by fisheries relentlessly. One officer, \_\_\_\_\_, used to come around my place and drive by. If my car was not there he'd look for me. He was getting the police to search our cars. One of our mates lost his brother. After the funeral, \_\_\_\_\_ got the cops to pull him over after leaving the cemetery. There was no way he was coming from the ocean.

My last court case was in 2003. Fisheries confiscated all our gear. My argument was that it's just a feed for me and a few elders. I'm not at the restaurant selling them. The magistrate was a woman. I said I'm sick of this—it's been instilled into me that the ocean is our provider. This was the tenth time I'd been to court. I said if you jail me over this, I'm going to make a political statement. I'm going to hang myself. I got off with a \$1000 fine and a warning. Since then they have left me alone.

Since 2003, still regularly out there doing rod fishing, and I still do a bit of diving. I have two grown up kids and a 12-year old grandson whom I like to take fishing.

\_\_\_\_\_ has been turned off by the fisheries officers. He got his house raided once by the fisheries, they came around with police, suspected of diving around Gerringong. That day scared him. He'd hear about what was going on. One of the boys got a \$5,000 fine, took his diving gear off him, feared he'd be committing a crime. The Fisheries Officers were relentless then. He hasn't done any fishing since then. He's on the disability pension. He's pretty crook with neurological disorders.

\_\_\_\_\_ was into fishing. We'd share our catch. I wouldn't say she got scared off, put off with some of the fines. At one stage it caused a family breakdown. I had so many fines, losing my driver's licence, caused the marriage to breakdown. That was 15 years ago. I don't blame them for putting me out of the house.

I am on a disability pension because of depression. All the life stuff has caught up to me around 2006. I was on the street drinking every day, sleeping on park benches. It was a combination of all things, including the fines. I used to dive as basically as a distraction from what life is. When I'm

diving I don't have any problems, but I had a breakdown, lost the plot, and ended up on the street. Not showering for 3-4 months, same clothes. But one of my cousins worked with the Drug and Alcohol service and said I can help you. I ended up going with him to the rehab centre at Port Kembla hospital. When I went through the hospital my cousin was in contact with an Aboriginal welfare officer. I ended up with a one bedroom unit opposite the harbour. I turned my life around to the point where I gave up drinking and smoking pot. I've been on that road for nine years.

I'm now part of the La Perouse men's group. We've got a permit to fish for mullet. I've been doing that for the last three years with those guys. My youngest brother is a sea ranger, he rang me yesterday, I'll be getting a permit in my name. We supply the community with fresh fish. Living in West Wollongong, the fishing is now a bit of a passion.