

Submission  
No 48

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

**Name:** Anthony Henry

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**From:** Anthony Henry  
**Sent:** Wednesday, 17 August 2022 11:05 AM  
**To:** Portfolio Committee 4  
**Subject:** Submission Anthony Henry - Enquiry into Commencement of the fisheries Management ACT 2009

**Categories:**

Hi,

My name is Anthony Henry, I am a 21 year old Djirringanj man, my elders and descendants are the Campbell Family, traditional owners of Wallaga Lake Koori Village and surrounding areas.

I grew up in Moruya on the south coast with my mum and my 2 younger brothers. I taught myself how to dive at a young age and then my brothers. We have been diving since we were 10 years age or even younger. Growing up around the ocean and feeding my family and extended family and elders of the community.

In 2019 myself and 3 other Koori young men were cultural fishing and the Fisheries pulled us up on the rocks. They took our diving gear, and told us to expect paperwork in the mail for charges. I was diving for my brother's birthday to feed my family and extended family the next day where we had a large family gathering at our property.

2 years later a private investigator knocked on my family's door and asked my mum if I was home. He would not tell my mum what he wanted me for. This caused my mum and myself a lot of stress. He came back the following day and served me papers from the fisheries.

It took another year of numerous court dates, my lawyer and the fisheries lawyers having conversations about incorrect charges to come to an agreement on charges.

I was forced to plead guilty, something that I didn't want to do, I am on the Native Title Claim for the south coast.

The reason I pleaded guilty is because if I wanted to plead not guilty under native title, it would have cost me around \$30,000 - \$40,000 . I had to get a bank loan as it was to plead not guilty which cost me \$10,000.

The last submission we received from the fisheries was that they wanted to charge me \$50,000 in fines, when I went to court on 08/08/2022 , the fisheries got the fine wrong and said it was \$94,000.

I am a trainee, I can't afford that money, I can barely afford to pay my loan for my lawyer back each week on my small income. It has put myself and my family in a lot of stress, financially and emotionally.

The fisheries had charges of trafficking? I wasn't trafficking, I was cultural fishing and they approached me on the rocks? How is that trafficking? My lawyer in communication with the fisheries lawyer had those charges dropped, they kept the rest of the charges. One of the charges which I was fined \$3,000 for was for shucking the abalone on the rocks, this is just ridiculous. A fine for that? You can see all the 100's and 1000's year old mittens up and down the south coast from my ancestors gathering food sources to feed their families and tribes and leaving their shells on the rocks. They are of cultural significance to our people.

I ended up with a \$11,300 fine, 50 hrs community services and a 12 month community corrections order. I work full time, the community service hours are going to interfere with my job. Now I have to pay my lawyer \$10,000 plus a \$11,300 fine? If I don't pay the fine , my car rego can be cancelled and lose my licence , which then I will lose my job for doing something that has been handed down from generation to generation, to feed our families.

The whole process has not just affected me but my family as well with the stress of the last 3 years. Even though the court has finished, the outcome will affect me for years to come.

Anthony Henry