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FEDERAL COURT ORDER FOR ILLEGAL FISHING

The Australian Government has welcomed a Federal Court decision to fine a fisherman for fishing inside a Marine Protected Area.

The Court made findings that the skipper of an Australian commercial fishing vessel contravened the *Environment Protection and Biodiversity Conservation Act 1999* (the “Act”) by fishing within the Mermaid Reef Marine National Reserve.

The combined penalty and costs of more than \$50,000 were imposed after the fisherman admitted entering the Reserve and engaging in fishing activities over a two-day period in January 2005.

The Department of the Environment and Water Resources manages an estate of marine protected areas that are Commonwealth reserves under the Act. The Mermaid Reef Marine National Nature Reserve is located about 300 kilometres to the north-west of Broome, Western Australia.

Evidence before the court, including admissions, demonstrated that the fisherman was responsible for conducting the fishing activities and that these activities were in contravention of the management plan in operation for the Reserve.

During the two day period in which the contraventions took place, the Federal Court was told that the vessel had caught more than 450 kg of the commercially-sold crustacean known as ‘scampi’.

The Federal Court’s decision demonstrates the effectiveness of the Australian Government’s compliance regime. The Department will continue to take the steps necessary to protect the integrity of Australia’s national marine reserve system.

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