



MEDIA RELEASE

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Hefty sentence for commercial fishing in Kakadu National Park

A Darwin magistrate has fined a commercial fisherman \$8,750 and ordered the forfeiture of fishing dinghies and crab pots valued at between \$10,000 and \$20,000 for illegal fishing in Kakadu National Park.

His Honour Mr Wallace SM yesterday found Barry William Johnston guilty of seven charges under the Commonwealth *Environment Protection and Biodiversity Conservation Act* (the EPBC Act) and one charge under the *Fisheries Act (NT)* for offences committed over a week in late October and early November 2006.

Prosecutor Catherine Hamilton from the Commonwealth DPP told the court that a recreational fisherman had tipped off park wardens about a large illegal crabbing operation in the creeks of Field Island. After aerial surveillance by helicopter, park wardens seized more than 100 baited crab pots, a spear, three nets, and 47 shark fins. A number of mud crabs were released back into the creeks.

Ms Hamilton said Kakadu wardens had warned Mr Johnston, verbally and in writing, more than four times in the previous eight months, when he had been found undertaking commercial crabbing in the park. Mr Johnson had a large number of previous convictions for illegal fishing in the Northern Territory.

In handing down his sentence, Mr Wallace said the offences were very serious. "This is a large commercial operation, with a large number of pots," Mr Wallace said.

"When one thinks of Kakadu National Park, one does not normally think that it is there to protect crabs, but this is one of the many things that Kakadu is there to protect. All resources within the reserve are protected and they should be treated with respect."

Mr Wallace said Mr Johnston had offended against the public and also the traditional owners, noting the impact statement from one traditional owner 'who had felt as though his guts had been ripped out, wondering how many crabs were taken and how long it would be before crab numbers recovered.'

"It is not unusual for this type of offender, who when the mood takes him will disregard most regulatory laws, including firearms, traffic, drug and fisheries laws," Mr Wallace said.

"I intend to make the fines scary enough to dissuade the defendant and others alike who might be tempted to conduct this sort of operation in Kakadu."

Commercial fishing of any kind is prohibited in Kakadu. Mud crab populations are particularly vulnerable, as their numbers have declined, partly because of excessive commercial harvesting.

New amendments to the EPBC Act now provide criminal penalties for the taking of wildlife or conducting commercial activity in a Commonwealth Reserve. The maximum penalty now for similar commercial fishing activity within Kakadu National park is a fine of \$110,000 or two years jail or both.