

Question on Notice

No. 547

Asked on 4 April 2019

MRS C MULLEN ASKED MINISTER FOR AGRICULTURAL INDUSTRY DEVELOPMENT AND FISHERIES (HON M FURNER)—

QUESTION:

Will the Minister advise what the State Government does with illegal fishing boats confiscated for illegal fishing and black marketing of red claw?

ANSWER:

I thank the Member for the question.

Unlicensed selling of fisheries resources undermines the legitimate commercial fishing industry and threatens Queensland's reputation as a producer of high-quality seafood

It is a truth universally acknowledged, that a single commercial operator in possession of an illegal take of redclaw, must be in want of a strong deterrent penalty.

However little known the feelings or views of such an operator may be on its first entering a fishery, this truth is so well fixed in the minds of the surrounding public, that such a boat is considered as the rightful vessel for general deterrence via some one or other methods of crushing or destruction.

An inspector under the *Fisheries Act 1994* (the Act) may seize an item, including a boat, if it provides evidence and was used in the commission of an offence under the Act. It is then a decision for the Court to forfeit the item or boat to the Crown on conviction of the offence. The Act also provides some guidance on how to deal with a seized item once it has been forfeited by the Court.

If a boat is forfeited by the Court and it has been modified in a way that may affect its operation or where it is considered unsafe, the Chief Executive may choose to destroy it. Items on the boat which are of some value, such as motors and electronic equipment, may be salvaged prior to the boat's destruction and are generally sold by way of auction.

If a boat is not modified, does not have hidden compartments and there is no concern over the safety of the boat, it is generally sold by way of auction and the funds go towards fisheries management costs.

I was pleased to help crush just such a vessel, involved in the black marketing of red claw earlier this year.

Queensland Boating and Fisheries Patrol officers intercepted a Kuraby-based fisher delivering almost 200 redclaw to a Sunnybank restaurant in March 2018.

During the investigation, 82 freshwater traps, more than 133 kilograms of redclaw, a 4.5 metre catamaran and a kayak were also seized at Somerset Dam and Brisbane.

A recreational fisher, who was not a first-time offender, pleaded guilty to five charges, including selling fish without a licence and using 78 excess and unmarked freshwater traps, was fined \$7600 and had his vessel forfeited to the State.

A restaurant manager, who said he bought the redclaw for a staff party and did not intend to sell it, was fined \$1000 after pleading guilty to one count of selling seafood without an authority. The forfeited vessel was initially displayed at prominent boat ramps in South East Queensland. The fisher and restaurant manager were fined more than \$8600 for black marketing of redclaw.

The boat was crushed as it had been modified and was not suitable for sale.

The motors were removed and auctioned, with proceeds going back into supporting fisheries management, compliance and monitoring.