



7 February 2018

Hon Mark Furner
Minister for Agricultural Industry Development and Fisheries
GPO Box 46
BRISBANE QLD 4001

Dear Minister

Re: Vessel Monitoring Systems – Inshore and Offshore Fisheries

On behalf of the Queensland Seafood Industry Association (QSIA) I raise some ongoing concerns regarding the introduction of vessel monitoring systems (VMS). There are concerns regarding significantly increased financial stress and uncertainty amongst commercial fishers. The implementation of VMS has significant problems that seem to have been dismissed by the Department of Agriculture and Fisheries (DAF) representatives that have been speaking with commercial fishers along the Queensland coast. Information being given at meetings has not been consistent and differs from the released draft policy for VMS.

The introduction of VMS, as part of the reform process, was always going to be difficult to achieve. Below are my initial thoughts organised around a number of issues of concern raised by inshore and offshore commercial fishers regarding VMS.

1. Change of commercial fishing markets

From the outset, the reform process being led by DAF will fundamentally change how commercial fishers operate. This new environment suggests that the State government is engaged on industry-wide market change and it is no longer acceptable for DAF to argue it is purely a regulatory agency. The business viability of hundreds of Queensland commercial fishers is at stake.

It would be helpful for DAF to conduct market/industry impacts of their proposals because despite arguments to the contrary your government is undertaking wholesale market changes. VMS is one of those changes that was never sought by industry and we suspect originates from Federal government and environmental, non-government organisations (eNGOs) pressure to ensure industry is monitored at all times.

If this is reform then all sectors interacting with the marine resource should be monitored in the same way you expect industry to do so for the same reasons that industry is expected to do, i.e. it is a public resource. The political backlash from recreational fishing groups and their allies amongst eNGOs suggest you won't. How can we achieve better management outcomes when the signals being received by industry are that status quo in terms of political considerations and poor legislative reforms will unevenly impact commercial fishers?

I see that there has been no public outcry from eNGOs or the Great Barrier Reef Marine Park Authority (GBRMPA) regarding the inclusion of VMS on recreational vessels or commercial vessels in say, the tourism sector. These sectors alone have hundreds if not thousands of vessels – what are their cumulative impacts?

2. Privacy Concerns

The introduction of VMS has led to significant privacy concerns relating to (1) the privacy inshore and offshore commercial fishers can expect regarding their data (their accumulated intellectual property), (2) agency access to VMS data, (3) concerns relating to invasion of privacy and (4) further restructuring.

Intellectual Property

Inshore and offshore commercial fishers spend years developing their preferred fishing locations. There is significant concern amongst commercial fishers that their hard-earned intellectual property is in jeopardy.

We have a licence and symbol system that allows commercial fishers access to a community resource only. This means the major asset owned and developed by a commercial fisher is their experience and knowledge developed over time.

The current industry feeling is of less ‘consultation’ and more ‘you have no choice but to accept VMS’. Commercial fishers have been advised that current departmental processes will ensure VMS data is private. The department’s assurances are not trusted and it remains unclear who will have access to VMS data and more importantly why.

Agency Access to VMS Data

I am seeking confirmation regarding the list of agencies below and their potential access to the use of our VMS data.

<i>State government agencies</i>	DAF Queensland Boating and Fisheries Patrol (QBFP) Department of National Parks, Sport and Racing (DNPSR)
<i>Federal government agencies</i>	Great Barrier Reef Marine Park Authority (GBRMPA) Department of Environment and Energy (DEE) Groups like eNGOs closely aligned to some of the above governmental agencies.

Some questions on this issue include:

- Will the agencies or groups noted above have access to the data? If so, please clarify why they need access?
- What assurances do commercial inshore and offshore fishers have that agencies other than the DAF will treat their information confidentially?

- It is a huge ask expecting commercial fishers to trust that the data will be treated with confidentiality and respect, given their experiences of the past with the departments and with eNGO's. Some green groups are still currently engaged in campaigns to further reduce net-fishing activities in Queensland waters which will naturally impact the public's access to their resource.

Invasion of Privacy

Inshore and offshore commercial fishers have been advised (during port visits recently conducted by DAF) that polling must take place 24 hours a day, seven days a week no matter where their vessel is located. This is contrary to the draft VMS policy.

There seem to be no safeguards on VMS information and which agencies can access the information. If VMS data is to be shared with other agencies or groups permission must at least be sought from the owner of the data (commercial fishes) to either agree or disagree to release the information and if released proper remuneration paid.

Structure and vessel uses differ between the Queensland trawl and inshore fleets. Inshore and offshore commercial fishers in Queensland may move from one fishery and region to another using land-based routes. Giving the government 24-hour access to our movements is not only excessive but cannot be justified if the polling occurs on land. This takes VMS to a 'Nanny State' scenario and is not acceptable to industry. Under the Vessel tracking guidelines – Draft for consultation document an example under section 3.6 states the following:

Example: If a boat is stored in a shed between day fishing trips. There is no requirement to have an operational vessel tracking unit while the boat is not being used for fishing operations.

I do not know if transporting your vessel to other fishing grounds or local maintenance personal would be considered a fishing operation? Industry needs some clarification here.

Further restructuring

Commercial fishing data may be used by the GBRMPA and other agencies as a tool to enforce an argument for further no take zones. VMS data may also be used to argue that too much effort is being concentrated in a certain area therefore sustainability of stocks becomes a perceived problem. These perceptions could be acted upon without providing statistical evidence of existence of an actual problem.

Possible Solution

That DAF develop comprehensive contract templates with individual inshore and offshore commercial fishers regarding their VMS data. Issues to consider include:

- Data must be treated In-confidence amongst any agency that has access to it.
- That no government officers can display VMS track line information in meetings which would put individual data at risk.
- That QBFP officers are bound by confidentiality contracts and are provided training to ensure they understand VMS data is not for public use or provided to other commercial, recreational or interested groups or individuals or used by themselves in their own recreational fishing activities. A mechanism needs to be developed that allows fishers to identify QBFP officers that misuse VMS data.

3. Separate VMS for each vessel

Commercial inshore and offshore fisheries operate across multiple fisheries. In some instances, a vessel may be used across 4 different fisheries (inshore/offshore net, mud/sand / spanner crab, line and beam trawl) My understanding is that on every occasion operators want to access a different fishery with an existing vessel they will have to contact fisheries and pay a transfer fee – is that correct? If the answer is yes this is an unworkable situation.

Possible Solution

VMS could be linked to the commercial fishing boat licence card with its symbols and not to individual boats. This would simplify changing fisheries in a given day using the same vessel; remembering some commercial fishing activities don't require a boat to operate.

4. Cost of VMS

Industry has not asked for the collection of VMS data or the ongoing expense it will incur under the current reform process. The mantra from DAF regarding the reform process is that tracking fishing effort from all users is important. If this is the case then tracking of 100% of effort across all users of the marine resource would seem appropriate. Again, only the commercial fishing sector that must take on more cost for the collection of fisheries data. A precedent has been set with trawl and Commonwealth tracking devices polling being paid for by the recipient authorities.

Industry is unable to pass on the cost of VMS on to consumers as we are and will remain price takers at the mercy of buyers. This again is another impact on industry beyond what VMS was intended to do.

The elephant in the room regarding VMS is its non-use amongst recreational fishers. This fishing sector has an impact on the marine resource and their cumulative impact has never truly been studied let alone tracked and yet they have been gifted majority access to fishing grounds. This builds distrust amongst commercial fishers that the current fisheries management reform is only targeting my industry.

I understand that the pressure for VMS data is coming from conservation agencies like the GBRMPA and DEE. If these agencies want the data then they should pay for accessing the data directly from commercial fishers.

Possible Solution

That government agencies commit to fully pay or heavily subsidise the ongoing collection of VMS data.

5. Other Issues

During the course of a 10-hour day for example, a commercial fisher may travel 120 nm and may stop 10 times in that day to wait for tides, stop for lunch etc. The VMS will position that vessel as fishing. No fishing has taken place yet the VMS may show that the fisher may have potentially worked with apparatus 10 times when this has not been the case – these scenarios are applicable for net and mud crabbing.

6. Where to from here?

When the Sustainable Fisheries Strategy was released by previous Fisheries Minister he stated that there will be no recreational fishing licence introduced as it is government policy there be no new fees and charges. I ask you Minister – would you consider the introduction of a VMS a new fee and charge on the commercial fishing Industry to be contrary to government policy?

Industry is being asked to take yet another cost for the collection of data at the State and Federal government levels from agencies that will use the data to limit commercial fishing effort.

I write this letter at a time where trust in the process is at its lowest level in this industry – I don't trust that the State government is running a truly consultative process, the speed at which VMS is being introduced feeds this concern.

If you have any questions regarding this correspondence please contact Eric Perez, QSIA Chief Executive Officer on M: 0417 631 353 or E: eo@qsia.com.au

Regards,



Keith Harris

President
Queensland Seafood Industry Association

Cc:

1. Hon Josh Frydenberg MP, Minister for Environment and Energy.
2. Dr Russell Reichelt, Chairman, Great Barrier Reef Marine Park Authority.
3. Scott Spencer, Deputy Director General, Fisheries and Forestry, Department of Agriculture and Fisheries.