
**OPENING OF THE 8TH INTERNATIONAL ABALONE
SYMPOSIUM BY THE HONOURABLE PETER UNDERWOOD
AC, GOVERNOR OF TASMANIA, HOBART
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As Governor of the State of Tasmania it is indeed a great pleasure for me this morning to welcome you all to Hobart for the 8th International Abalone Symposium. I am told that there are in the order of 250 delegates registered for this Symposium coming from no less than 19 countries. I hope that you all enjoy your visit to Tasmania and that many of you use this opportunity to take a little time to look around our island State for it is always particularly beautiful in the autumn.

What an incredibly busy programme you have got over the four days of the conference running each day from 8:30 in the morning until 5:00 in the afternoon or later each day with some very distinguished key-note speakers to give presentations. In addition, I see that each day is packed with parallel sessions to keep you on the move. Now whenever I see a conference programme like this one filled with concurrent sessions I cannot resist telling the story of what happened to a friend of mine who was invited to make a presentation at a similar conference, one with many concurrent sessions. He put together his presentation and turned up at the conference on the appointed day. In good time he found the room in which he was scheduled to speak and went in but no one was there. Just a minute before he was due to start speaking a man came in and sat down in the middle of the front row and waited. So my friend thought well, I

know that there's only one person here, but I've prepared a paper and come all this way to deliver it so I might as well start and so he did. The solitary listener seemed to appreciate the talk for he laughed at the jokes and nodded agreement with the serious points and clapped loudly at the end. Of course, when he had finished my friend went down and thanked him and said that although he was the only one in the audience he really seemed to appreciate the presentation and was there anything that he could do to repay the man for being such a good listener. He replied, "Well, actually there is something. Would you mind staying for a bit because I am the next speaker?"

You know it never ceases to amaze me how much I don't know and how much I learn being Governor of the State of Tasmania. I have enjoyed eating abalone all my adult life, but until I was doing some reading in anticipation of opening your conference I had no idea that although the Tasmanian aborigines fished for abalone there was no established abalone fishing industry until the mid-1950's. According to our local newspaper for 2nd September 1954:¹

"The Minister for Fisheries (Mr. Dwyer) yesterday introduced to Tasmanians a rare delicacy and foreshadowed the establishment of a dollar-earning industry when he told a surprised House of Assembly that the State's coastal waters abounded with abalone, or 'mutton fish', prized highly by gourmets in the United States and the

¹ The Mercury

Far East. Many inquiries had been received from the United States, which sought to import the fish frozen. At the end of the last century dried abalone had been exported to China; there was still a keen demand throughout the Far East ... California produced large quantities of abalone, but its export from that State was prohibited. The rest of the United States was 'crying out' for it. Interests had approached the Tasmanian Government seeking permission to establish the industry in this State."

So the abalone fishing industry was established in this State but not only was the industry established but it soon became the largest wild abalone fishing industry in the world providing about 25% of the global harvest and making a substantial contribution to the economy of the State.

Of course, like all renewable natural resources, especially an extremely valuable one like abalone a great deal of attention is paid by the Tasmanian government to the conservation of the resource through a licensing and quota system. And not surprisingly, I see from your programme that conservation and biosecurity are to be addressed in about 5 separate sessions and workshops.

It is a question of balance isn't it. It is appropriate to fish for abalone for it is a renewable resource that helps to feed people, but the process of harvesting must not harm the environment or so deplete the stock that the fishery disappears. It's a question of getting

the balance right. It is usual to set up panels of experts; scientists, fishers and perhaps marketers and economists to make the rules to get the balance right and to keep it right. Sometimes it is left to the Minister, a politician, to make these rules, but strangely it would appear that these days, people do not have a lot of confidence in decisions made by politicians. I don't know why this is so because after all, politicians are elected to make decisions and through the ballot box are periodically answerable to the people for those decisions whereas the expert panel or tribunal is usually not answerable to anybody for the rules that they make.

However, regardless of who makes the rules to conserve the resource it has to be recognised that the decision involves the making of a value judgment. I spoke about this recently when opening a meeting about fish farming. Setting up and enforcing a regime to manage the harvesting of a natural resource is not a mechanical or mathematical business. It requires the finding of an acceptable balance between different views and different interests and of course, there will always be people who are dissatisfied with the outcome of a value-based decision. There is no perfect way. Every day judges in the courts have to make value judgments; did the defendant's action amount to negligence; did the local council owe the swimmer a duty of care when he was injured diving off a rock into a swimming pool; was the doctor negligent when she failed to diagnose a rare illness, what is the appropriate measure of damages for this injury and so on. But the judges have an advantage over those who make executive

value-based judgments – they have the doctrine of precedent and a structured appeal system to guide them.

As you all know arguments about how to properly manage a natural resource such as the abalone fishery, are very common. Everybody involved thinks that they have the right solution and few stop to think that when making value judgments there are no absolute rights or wrongs. And it occurs to me to say that if those who are dissatisfied did stop and realise that getting the balance right involves making a value judgment, disputation (often accompanied by anger and abuse) could dissolve into reasoned debate which would see proper consideration being given to competing considerations and perhaps result in an improved judgment.

Maybe the parliament that enacts the laws to authorise the making of a regulatory regime could promote this conciliatory process by requiring the rule makers – the Minister or the Panel or Board – to convene regular meetings to which all who have a legitimate interest in the resource are entitled to attend, and at which the successes or failures of the regulatory regime over the previous – say – two or three years could be reviewed. I have in mind a review system rather like that of companies whose directors are required to face the shareholders every year. I am not suggesting that members of the Panel or Board be elected at those meetings, but they would have to account for their work to date & have to listen to suggestions made by those present at these review meetings. Provided the input at such meetings was tempered with an acceptance that there are no

absolute rights or wrongs and that the issue requires a value-judgment, the end result might be regulations that provide an improved balance between the need to harvest the resource and the need to maintain it and the need to preserve its environment.

Maybe that is too optimistic and maybe I am talking for far too long and using up valuable time which could be better used by you getting on with the business of the Symposium which I now have pleasure in formally declaring open.