Dear Premier Minns and Ministers Sharpe & Moriarty,

I recently attended the Restorative Justice process which forms part of the prosecution of the Forestry Corporation of NSW (FCNSW) for trees illegally destroyed in Wild Cattle Creek State Forest. As I write, the sentencing hearing is in its third day before the courts.

I was invited to participate in the process in my Forest Chaplain role, through which I support those who are defending various forests in the Mid North Coast region from inappropriate logging, especially within the long promised Great Koala National Park (GKNP).

The three Gumbaynggirr leaders present were adamant that they wanted an immediate halt to all logging in Gumbaynggirr Country.

They went on to make it absolutely clear that they refused to be co-opted into anything that could be seen to be giving permission or social licence to FCNSW to continue logging.

In that context, since they knew that their demand would be ignored, they insisted that going forward there needed to be not just "consultation" but a seat at the table for the appropriate Custodians when decisions about logging operations and harvest plans are being made.

I believe that at least some, if not many, of the FCNSW staff at the process were well intentioned, and moved by the blunt, powerful and gracious testimony of the Gumbaynggirr leaders. I pray that they continue to be so moved within the day-to-day culture and practice of FCNSW.

That said, I did find it somewhat disturbing how many FCNSW staff seemed to be hearing sharing like this for the first time, for example the close connection between Gumbaynggirr people and Country, and the non-dollar value of not just forests but individual trees. I was surprised that they hadn't heard such things before, and somewhat alarmed that this implies that FCNSW has to this point been planning and extracting in relative ignorance, despite their hat-tip to traditional ownership on their public signage. Later in the meeting the NSW Environment Protection Authority (EPA) and FCNSW would agree that the Cultural consultation required by the Coastal Integrated Forestry Operations Approvals (CIFOA) was inadequate.

Although the restorative justice process was limited to the illegal felling of less than a dozen trees at Wild Cattle Creek, a wide number of issues were canvassed which should not be lost in the legal process, some of which I wish to share with you now.

The move to some Traditional Owner management in particular forests was raised a number of times by FCNSW. However, I was left questioning whether such ventures represent much more than an attempt to recover some social licence and continue logging under a different guise.

Specifically, if the Government insists that current timber quotas are met to honour existing supply agreements, and Forestry Corporation continues to "just follow orders," then First Nations people will be restricted to lower-middle management, not anything reflecting true Custodianship, let alone Sovereignty. There seemed to be no scope, for example, for First Nations "managers" to decide that a forest needs a century or more to recover, so that some of the truly giant trees that used to exist can return, more hollows form, and the canopy truly recover to exclude weeds. The "large" or "old" trees we see now were, in pre-colonial times, of middling size and age.

I was disturbed how often the CEO of FCNSW, and others, claimed that they were powerless to affect policy, or address the quotas that the Government demands are delivered. I made the point to them that none are better placed to influence you, if they believe that quotas or policies need modification. They could suggest that you revise the whole CIFOA in the light of climate change, and the recent devastating bushfires.

Although I understand why they might be hesitant, I pray that they have taken up the opportunity to have a conversation with you. If not, I implore you to seek them out.

In your conversation, I hope you can address the culture of FCNSW, which seems to be to do the absolute minimum required by the CIFOA, in order to deliver as much timber as possible, even if, as several recent studies have shown, this is costing taxpayers money to honour your timber supply contracts.

The EPA, by contrast, sees that the CIFOA is the absolute minimum standard, and believes that FCNSW should be far exceeding that very low bar in terms of ecological sustainability. They seemed to believe that the laws were too weak, largely as a result of how bitterly FCNSW fought against stronger ones in the years-long negotiations. They also argued that the CIFOA has been unable to respond to new information about climate change and bushfires, and is totally inadequate in what they require for Cultural protection. A positive from the meeting was that FCNSW also seemed to concede this point.

Whilst FCNSW mentioned sustainability several times, they clearly meant sustainability of timber supply, not the ecological health of public forests or their threatened species.

A formal report from the Restorative Justice process has been submitted by the facilitators to the Courts to help with in the sentencing of FCNSW. My small contribution to the draft was to emphasise that because FCNSW and their contractors have repeatedly committed criminal breaches, the public rightly has no confidence in their ability or willingness to comply even with the very weak CIFOA we have. Professional ecologists and citizen scientists have therefore sacrificed thousands of hours doing their own in pre-harvest and post-harvest surveys, as well as attempting to block logging of particularly biodiverse areas.

This happens at their own cost and with the risk of arrest, despite it being FCNSW and their contractors who are repeatedly breaking the law. Until FCNSW pays for independent monitoring during harvests, forest closures need to suspended after hours and on weekends, except for a small area around machinery. It would be legitimate for FCNSW to be required by the Court to recompense some citizen science groups for their work.

The EPA has made its own request to the Court for new conditions to be put upon any ongoing logging of Wild Cattle Creek. I believe very strongly, given the ubiquitous nature of FCNSW's breaches, that the EPA's requests should be applied to *all* native forest logging, until this industrial-scale destruction of our forests comes to a complete halt.

Premier and Ministers, now that the Federal election is behind us, the last of your excuses to delay the proclamation of the full Great Koala National Park (GKNP) are gone. Continuing to say 'soon' is an embarrassing deception. Minister Sharpe recently assured Peter Elzer during his fast for forests that he did not need to take action, as the park would be declared 'very soon'.

Yet yesterday I was arrested for joining 40 other protesters at Orara East State Forest, where vital habitat within the GNKP assessment area is being destroyed by harvesters right now, as is the forest in Wild Cattle Creek, which is the focus of today's court ruling over FCNSW's illegal harvesting. It is imperative that all logging within the GKNP assessment area is halted immediately, along with all logging on Gumbaynggirr Country, so that by the time the GKNP and the Indigenous Protected Area across our Shire are implemented, there is still some healthy forest left to protect!

Yours sincerely,

Rev. Dr Jason John
Forest Chaplain
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