

option4 Update #77

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Freedom To Fish To Be Privatised – Big Cuts To Bag Limits Likely

Saltwater fisheries are about to be carved up and it looks like **recreational fishers will be the losers**, only the fishing industry will receive compensation for cuts they may have to face. According to the recently released “Shared Fisheries” policy, commercial and recreational fishers are to be given proportional shares in our marine fisheries. The recreational shares will be based on questionable allowances derived from faulty scientific assessments. Even the Ministry of Fisheries acknowledges the assessments are likely to be under-estimates of what we actually catch. Once the shares are set it will be extremely difficult and expensive to increase the overall recreational tonnage.

How This WILL Affect You

Any attempt to constrain recreational fishers to an unrealistically low tonnage will inevitably lead to huge bag limit reductions. For example, bag limits for kahawai would need to be slashed from 20 to three or four to reduce recreational catch by 15%. Considering the poor quality of information used to set the current allowances, it’s quite likely that we have been under-allocated by as much as 50% in some fisheries.

Would you accept being told when to stop fishing purely because a scientist got the numbers wrong on what you have always caught? Is this a good enough excuse to deny your family the feed of fish that is theirs, as of right?

Another issue is that our allowances are often based on what we catch in fisheries that have been commercially over-fished. As a fishery declines recreational fishers catch fewer and smaller fish. Setting the recreational shares as a proportion in depleted fisheries is unfair because it makes **recreational fishing subservient to commercial interests**. Recreational fishers are being asked to accept a lesser share than is rightfully theirs in depleted fisheries.

Initial Proportional Allocations

The Shared Fisheries Policy uses proportional allocation between commercial and recreational fishers as a foundation. It states clearly that this is “unlikely to be acceptable where there were perceptions that the baseline allocations had not been set by a reasonable process” and provides three alternatives.

Independently Set Shares

One option is to set up an independent body to reset the shares in up to six fish stocks. Given the lack of information on current and historical recreational catch and the errors in some estimates of commercial catches, this option is fraught with problems.

Firstly we need to establish an agreed creditable catch history (for both the commercial and recreational sectors) and an appropriate yield, only then could the resetting of the shares be considered – this option is a long way off being practical.

Inadequate allowances will simply be left in place for the other 50 to 60 fish stocks in which recreational fishers have an interest.

Value-based Shares

Vague value-based allocations are also an option - one that could go either way - and this is suggested as a mechanism for changing the shares into the future as well. Value-based allocation decisions in fisheries such as paua and crayfish would be risky and likely to favour commercial interests.

Valuing the recreational aspects of fishing is complex because the reasons for fishing are varied. Although there are ways for assessing recreational fishing values such as the enjoyment of taking your kids fishing, or the value of giving fish to your friends there remains considerable debate and disagreement about what is being measured and whether such values are comparable with other measures such as the value of quota.

At this time the concept of comparing recreational and commercial values seems to us to be too theoretical to be of value. A pie in the sky option!

Negotiated Shares

A third option is to set allocations by negotiation between commercial and recreational fishers. While this may work in artificially enhanced fisheries, it seems unrealistic for wild fish stocks.

This option ignores the balance of resources between the fishing industry and recreational fishers. The commercial sector is a multi-million dollar industry with a well organised structure of fulltime political advocates, lobbyists, policy analysts and scientists. Negotiating with this group would be a voluntary organisation of recreational fishers unable to pay for the necessary scientific, policy and advocacy staff. Another 'pie in the sky option'.

You cannot help but conclude all the Ministry's options are so theoretical and full of loopholes and so lacking in detail that recreational fishers are being taken for a ride – the Ministry is not taking the recreational sector seriously!

The fishing industry would certainly not accept such the poor processes described above for setting their allocations. Nor should you!

Consultation Process

It should be noted that when the Quota Management System was proposed, the Ministry went back to commercial fishers three times in the development of a preliminary view before the recommendations were put to Cabinet. After the QMS was implemented a Quota Appeals Authority was established to review **ALL** claims where commercial

fishers were dissatisfied with their initial quota allocations. In other words, it was a long and complex process with many safeguards.

You and every other recreational fisher are being denied the courtesy of being offered even a preliminary view of policy reforms before they are put to Parliament as a Bill. **Is it a fait accompli?**

The only opportunity for further input from recreational fishers will be through the Select Committee process, which happens after Cabinet has decided on its preferred options. It is very hard to achieve change that far into the process. All the signals indicate that the legislation will be changed regardless. Fisheries Minister Jim Anderton has stated that doing nothing is not an option.

Before you submit to the Shared Fisheries Policy proposals make sure you understand what this is all about. The last time your representatives considered this issue it was determined that the risks associated with changing the legislation outweighed any benefits that might be achieved.

Do The Risks Outweigh The Benefits?

There are two major considerations. Once the Fisheries Act is opened up for change it will be a free-for-all. Those with most resources and professional advice will win. Recreational fishers will be severely disadvantaged through this process.

Secondly, the 20,000 to 25,000 tonnes of fish taken annually by recreational fishers has a value of between three hundred and five hundred million dollars. This is a serious tonnage of quota that commercial fishers would certainly be keen to get a hold of.

So it should come as no surprise that the proportional allocation system promoted in the Shared Fisheries document originally came from the fishing industry in the mid 1990's. The industry has been badgering the Ministry ever since to get the system implemented. It is possible they will succeed this time.

Commercial fishers have clearly made the connection between proportional shares and the need to license amateur fishers to pay for the hugely expensive monitoring and logistics required to make the system work.

Astute recreational fishers will recognise proportional allocation as the thin edge of a wedge that will inevitably lead to licensing. If recreational fishers rights are downgraded to become equivalent to commercial fishing quota, then ultimately, in our users pay society, the management costs will be transferred to the new owners of the rights, we will be licensed.

If It Ain't Broke Don't Fix It

It is strange that the MFish have started the consultation on Shared Fisheries before finding how the court rules in the Kahawai case. Prudent people like you or me would

surely test what they have before they change it and this is precisely what the Kahawai Legal Challenge is seeking to do.

Recreational fishers are in Court right now testing the strengths and weaknesses of the current rights of recreational fishers. It is imperative that we wait and see how the Court rules before tinkering with the Fisheries Act.

This issue is not just about the here and now. It will have a huge impact on what we leave for our children and grandchildren. Recreational fishers are being asked to swap their common law right, which is protected under the current Fisheries Act, for a shareholding in each fish stock.

In reality, recreational fishermen will become minor shareholders in most finfish fisheries - kahawai and kingfish being two possible exceptions.

What You Need To Do

All recreational fishers need to step up and take charge of their own destiny. To be effective we must stand together as united recreational fishers and take the initiative to deliver a single submission, so compelling and widely supported as to make the Ministry's proposals irrelevant.

The People's Submission on Shared Fisheries

Recreational fishing representatives are very concerned that the Shared Fisheries discussion paper disguises the Ministry's true objectives. The document has a limited range of options: all favour proportional shareholdings, it is short on detail and effective solutions, and ultimately it will be MFish who chooses the outcome. The MFish proposed consultation is inadequate in scope and in time for an issue of this magnitude.

To reduce the risk of MFish using this opportunity to drive its own agenda, the New Zealand Big Game Fishing Council and option4 team are working cooperatively to produce an analysis/critique of the proposals contained in the Shared Fisheries discussion paper accompanied by case studies of the proposals in some real fisheries. Hui are planned with Ngapuhi and Ngati Whatua through the Hokianga Accord to offer Maori recreational interests the opportunity to participate in the alternative process. It is hoped that this document will be available for distribution in early December.

All fishing clubs, charter operators, members of the ministerial and regional fishing forums and individuals are welcome to participate in the development of the People's Submission on Shared Fisheries.

An initial draft Submission will be circulated to all who have expressed an interest and provided an email address. The team expects to have this draft available late December or early January. Make sure you register your email address.

Having received and incorporated feedback on the initial draft Submission, a draft Final Submission will be released for further comment on Monday 29th January 2007.

The Kahawai Legal Challenge, currently before the High Court, is due to rule on many of the issues underlying allocation in shared fisheries. It is hoped a decision will be made. If so, the rulings will be incorporated into the “People’s Submission on Shared Fisheries.”

During February 2007 the team will launch the all-important public awareness campaign. We will organise and attend as many public meetings and hui as possible, to help develop understanding and endorsement of the People’s Submission on Shared Fisheries. Any final changes will be incorporated to meet the deadline for submissions of 28th February 2007. Obviously this will not be enough time to canvas the public’s understanding nationwide. We will therefore continue to take the Submission to the public in March and, if necessary, April. MFish will be kept fully informed of progress.

Your Team

The issues are complex. However, the inclusion of so many groups will ensure we have a formidable team working on the People’s Submission. It is an immense task, undertaken on your behalf by a diverse group of people including fisheries scientists, experienced recreational fishing advocates and recreational fishers just like you. A wealth of expertise is also available from the legal team that has been working on the Kahawai Legal Challenge for the past two years.

Ultimately, it will all come down to a simple political decision: either the Government will give management effect to the social and cultural parts of the Fisheries Act or they won’t. So, no matter how good the People’s Submission is, it will need your shoulder behind it to move it past some of the more obstinate politicians. The number of supporters backing the “Peoples Submission” will be crucial.

This is not about stopping the fishing industry from fishing. It’s about stopping the government from allowing the fishing industry to harvest too much in shared fisheries!

It’s also about strongly reminding the Government that it has a responsibility to recognise and properly allow for you and your children’s rights to feed their families or fish for recreation in the sea. It’s about leaving more fish in the water.

You CAN make a difference. Visit www.option4.co.nz for all the latest information and to add your name to the People’s Submission. Together we have a chance of achieving more fish in the water and better recognition of the social and cultural needs of all New Zealanders in fisheries decisions. Do it NOW

Away from the Computer?

Simply call 0800 52 42 92 to add your email address, Numbers will definitely count!